

State of Florida



Public Service Commission

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COMMISSION
CLERK

-M-E-M-O-R-A-N-D-U-M-

DATE: January 12, 2011

TO: Office of Commission Clerk (Cole)

FROM: Division of Economic Regulation (Simrison)
Office of the General Counsel (Williams)

MS *ca*
P.W.
ARW JC *CRB* *[Signature]*

RE: Docket No. 100423-SU – Application for amendment of Certificate No. 189-S to add territory in Seminole County by Sanlando Utilities Corporation and amendment of Certificate No. 232-S to delete territory in Seminole County by Utilities, Inc. of Longwood.

AGENDA: 01/25/11 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Graham

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\100423.RCM.DOC

Case Background

Sanlando Utilities Corporation (Sanlando or utility) and Utilities, Inc. of Longwood (Longwood) are owned by their parent company, Utilities, Inc. Sanlando, a Class A utility, reported operating revenue of \$6,610,324 and operating income of \$549,271 in its 2009 annual report. Longwood, a Class B utility, reported operating revenue of \$775,134 and operating income of \$76,213 in its 2009 annual report. The purpose of this application is to add wastewater territory to Sanlando’s service area and to delete the same territory from Longwood’s existing territory to allow two commercial customers, currently on septic tanks, to connect to the Sanlando wastewater system. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes (F.S.).

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Discussion of Issues

Issue 1: Should the Commission approve the application by Sanlando and Longwood to add territory to Sanlando's service area and to delete territory from Longwood's existing service territory?

Recommendation: Yes. The Commission should approve the application by Sanlando and Longwood to amend Sanlando's Certificate No. 189-S to add the territory reflected in Attachment A and to amend Longwood's Certificate No. 232-S to delete the territory reflected in Attachment B. The resultant order should serve as Sanlando and Longwood's amended certificates and should be retained by both utilities. Sanlando should charge the customers in the territory added herein the rates and charges contained in its current tariff until authorized to be changed by the Commission. (Simpson)

Staff Analysis: On October 12, 2010, Sanlando and Longwood filed an application to amend Sanlando's Certificate No. 189-S to add territory described in Attachment A and to amend Longwood's Certificate No. 232-S to delete territory described in Attachment B. Two commercial customers from Longwood's existing territory had been using private septic tanks. However, work related to the construction of State Road 434, adjacent to the two commercial customers, makes it impossible for the continued use of their septic systems. Longwood does not have a cost effective way of providing wastewater service to the two commercial customers because of the distance from the nearest point of connection and conflicts with a Florida Department of Transportation right of way.

According to the application, the customers will connect to the Sanlando Des Pinar wastewater treatment plant (WWTP), which is adjacent to the Longwood service territory. The Des Pinar WWTP has a permitted capacity of 500,000 gallons per day (gpd) and current average daily flows are approximately 250,000 gpd. The facilities needed to connect the two commercial customers will be paid for by those customers and treated as contributions in aid of construction. Water service is provided by the city of Longwood.

The application is in compliance with the governing statute, Section 367.045, F.S., and other pertinent statutes and administrative rules concerning applications for amendment of certificate. The application contains proof of compliance with the noticing provisions in Rule 25-30.030, Florida Administrative Code (F.A.C.), including the two commercial property owners. No objections were received and the time for such has expired. Sanlando and Longwood submitted affidavits consistent with Section 367.045(2)(d), F.S., attesting that they have tariffs and annual reports on file with the Commission.

Sanlando has sufficient capacity to serve the two commercial customers, as well as the necessary financial and technical expertise. The utility has no outstanding consent orders or notices of violation from the Department of Environmental Protection. A map of the territory to be served and a territory description, as required by Rule 25-30.036(3)(e), F.A.C., were provided. A description of the territory to be added to Sanlando's service territory and deleted from Longwood's service territory are shown in Attachment A and Attachment B, respectively.

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Based on the above information, staff recommends that it is in the public interest to approve the application by Sanlando and Longwood to amend Sanlando's Certificate No. 189-S to add the territory reflected in Attachment A and to amend Longwood's Certificate No. 232-S to delete the territory reflected in Attachment B. The resultant order should serve as Sanlando and Longwood's amended certificates and should be retained by both utilities. Sanlando should charge the customers in the territory added herein the rates and charges contained in its current tariff until authorized to be changed by the Commission.

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Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendations in Issue 1, no further action will be necessary, and this docket should be closed. (Williams)

Staff Analysis: If the Commission approves staff's recommendations in Issue 1, no further action will be necessary, and this docket should be closed.

SANLANDO UTILITIES CORPORATION
DESCRIPTION OF WASTEWATER TERRITORY TO BE ADDED
SEMINOLE COUNTY

That portion of Section 1, Township 21 South, Range 29 East, Seminole County, Florida being more particularly described as follows:

Commence from the Northwest corner of Section 1, Township 21 South, Range 29 East and run 2,742.2 feet N89°35'0"E to the Point of Beginning; thence meander southeasterly along the shoreline of Island Lake to a point S28°39'50"E a distance of 685.1 feet from the point of beginning; thence run N89°36'35"E a distance of 79.6 feet; thence run N32°37'54"E a distance of 162.9 feet; thence run N41°50'49"W a distance of 19.1 feet; thence run NO°22'3"W a distance of 255.5 feet; thence run N89°36'31"E a distance of 121.4 feet; thence run NO°20'39"W a distance of 198.4 feet to a point of the southern right-of-way of State Road 434; thence run S89°28'17"W along the southern right-of-way of State Road 434 a distance of 601.9 feet to the Point of Beginning.

FLORIDA PUBLIC SERVICE COMMISSION

**authorizes
Sanlando Utilities Corporation
pursuant to
Certificate Number 189-S**

to provide sewer service in Seminole County in accordance with the provision of Chapter 367, Florida Statutes, the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
7128	02/26/76	75037-WS	Original Certificate
9846	03/03/81	800643-WS	Amendment
9843	03/03/81	780727-W, 780813-WS, 780952-W	Amendment
10084	06/19/81	810179-WS	Amendment
10326	10/07/81	810362-WS	Amendment
12567	09/30/83	830237-WS	Amendment
14180	03/14/85	840436-WS	Amendment
15331	11/04/85	850551-WS	Amendment
15750	02/26/86	860066-WS	Amendment
PSC-99-0152-FOF-WS	01/25/99	980957-WS	Majority Organization Control
PSC-03-1103-FOF-SU	10/06/03	030485-WS	Amendment
PSC-04-0532-AS-WS	05/25/04	030637-WS 030667-WS	Amendment
PSC-06-0752-FOF-WS	09/05/06	040384-WS	Amendment
*	*	100423-SU	Amendment

* Order Number and date to be provided at time of issuance.

UTILITIES, INC. OF LONGWOOD
DESCRIPTION OF WASTEWATER TERRITORY TO BE DELETED
SEMINOLE COUNTY

That portion of Section 1, Township 21 South, Range 29 East, Seminole County, Florida being more particularly described as follows:

Commence from the Northwest corner of Section 1, Township 21 South, Range 29 East and run 2,742.2 feet N89°35'0"E to the Point of Beginning; thence meander southeasterly along the shoreline of Island Lake to a point S28°39'50"E a distance of 685.1 feet from the point of beginning; thence run N89°36'35"E a distance of 79.6 feet; thence run N32°37'54"E a distance of 162.9 feet; thence run N41°50'49"W a distance of 19.1 feet; thence run NO°22'3"W a distance of 255.5 feet; thence run N89°36'31"E a distance of 121.4 feet; thence run NO°20'39"W a distance of 198.4 feet to a point of the southern right-of-way of State Road 434; thence run S89°28'17"W along the southern right-of-way of State Road 434 a distance of 601.9 feet to the Point of Beginning.

**FLORIDA PUBLIC SERVICE COMMISSION
authorizes
Utilities, Inc. of Longwood
pursuant to
Certificate Number 232-S**

to provide sewer service in Seminole County in accordance with the provision of Chapter 367, Florida Statutes, the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
7715	03/27/77	760114-S	Grandfather
10061	06/12/81	810169-S	Amendment
*	*	100423-SU	Amendment/Deletion

*** Order Number and date to be provided at time of issuance.**