

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment of	)	DOCKET NO. 900951-WS
Certificates Nos. 146-W and 103-S in	)	
Osceola County by Poinciana Utilities,	)	ORDER NO. 24370
Inc. to include territory in Polk County	)	
under Grandfather Rights.	)	ISSUED: 4/15/91
	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 J. TERRY DEASON  
 BETTY EASLEY  
 GERALD L. GUNTER  
 MICHAEL MCK. WILSON

ORDER GRANTING AMENDMENT AND CLOSING DOCKET

BY THE COMMISSION:

Background

On November 11, 1990, Poinciana Utilities, Inc. (Poinciana or Utility) filed an application with this Commission to amend Certificates Nos. 146-W and 103-S in Osceola County to include territory in Polk county, pursuant to Section 367.171(7), Florida Statutes. The Utility serves approximately 1,127 customers in Polk County pursuant to an ordinance granted by the County. Poinciana also serves approximately 2,984 water customers and 2,803 wastewater customers in Osceola County.

Application

The application is in compliance with Section 367.171, Florida Statutes, and other pertinent statutes and administrative rules. In particular, the application contains:

1. A filing fee in the amount of \$4,500, as prescribed by Section 167.171, Florida Statutes, and Rule 25-30.020, Florida Administrative Code.
2. Territory and system maps and a territory description, pursuant to Section 367.171, Florida Statutes. The Utility also provided copies of the franchise agreements with Polk County. The territory in Polk County is described in Attachment A of this Order.
3. Evidence that the Utility owns the land upon which its facilities are located.

DOCUMENT NUMBER-DATE

03585 APR 15 1991

PSC-RECORDS/REPORTING

ORDER NO. 24370  
 DOCKET NO. 900951-WS  
 Page 2

Since this is a grandfather application, noticing of the application is not required.

Poinciana is a wholly-owned subsidiary of Avatar Utilities, Inc., and has been providing service in the area for almost 20 years. Poinciana has consistently demonstrated its financial and technical ability to provide safe and reliable service to its customers. In addition, the Department of Environmental Regulation has no outstanding citations for this system. Therefore, we find that it is in the public interest to amend Certificates Nos. 146-W and 103-S to include the territory described in Attachment A of this Order. Poinciana is directed to return the Certificates to this Commission within 20 days of the date of this Order for entry reflecting the additional territory. The Utility has filed revised tariff sheets reflecting the territory in Polk County. The tariff sheets will be approved upon issuance of this Order.

Rates and Charges

The rates and charges approved for Poinciana in Osceola County are also the rates and charges in effect for the customers in Polk County. These rates and charges are as follows:

Water

(Monthly Rates)

Residential, General Service (Including Multi-Units)

Base Facility Charge

<u>Meter Size</u>	<u>Rate</u>
5/8" x 3/4"	\$ 5.24
3/4"	7.87
1"	13.12
1-1/2"	26.21
2"	41.94
3"	83.87
4"	131.05
6"	262.09
8"	419.35

Gallage Charge

Per 1,000 Gallons \$ 1.05

ORDER NO. 24370  
 DOCKET NO. 900951-WS  
 Page 3

Private Fire Protection Service Rates

<u>Size Fire Line</u>	<u>Rate</u>
1"	\$ 4.37
1-1/2"	8.74
2"	13.98
3"	27.96
4"	43.68
6"	87.37
8"	139.79
10"	200.78
12"	375.37

Wastewater

(Monthly Rates)

General Service (including Multi-Units)

Base Facility Charge

<u>Meter Size</u>	<u>Rate</u>
5/8" x 3/4"	\$ 13.80
3/4"	34.56
1"	69.09
1-1/2"	110.55
2"	221.08
3"	345.45
4"	690.88
6"	1,105.41
8"	1,589.04

Gallonage Charge

Per 1,000 Gallons \$ 1.87

Residential Service

<u>Meter Size</u>	<u>Rate</u>
All Meter Sizes (Flat Rate)	\$ 21.65

ORDER NO. 24370  
 DOCKET NO. 900951-WS  
 Page 4

Service Availability Charges

Main Extension

	<u>Single Family</u>	<u>Multiple Family (Per Unit)</u>	<u>Non-Residential</u>
Water-Per ERC (413 GPD)	\$ 390	\$ 312	\$0.9443/gal. but not less than \$390
Sewer-Per ERC (277 GPD)	<u>760</u>	<u>608</u>	\$2.7437/gal. but not less than \$760
Total	<u>\$1,150</u>	<u>\$ 920</u>	<u>\$3.6880/gal.</u> but not less than \$1,150

Plant Capacity

	<u>Single Family</u>	<u>Multiple Family (Per Unit)</u>	<u>Non-Residential</u>
Water-Per ERC (413 GPD)	\$ 170	\$ 136	\$0.4116/gal. but not less than \$170
Sewer-Per ERC (277 GPD)	<u>550</u>	<u>440</u>	\$1.9856/gal. but not less than \$550
Total	<u>\$ 720</u>	<u>\$ 576</u>	<u>\$2.3972/gal.</u> but not less than \$720

Water (Meter Installation Fee)

<u>Meter Size</u>	<u>Rate</u>
5/8" x 3/4"	\$ 75.00
1"	110.00
Over 1"	Actual Cost

ORDER NO. 24370  
DOCKET NO. 900951-WS  
Page 5

Sewer (Tap-In Fee)

	<u>Rate</u>
Per Connection (Outside of Industrial Park Area)	\$ 40.00
Per Connection (Within Industrial Park Area)	150.00

Poinciana shall continue to charge these rates and charges until authorized to change by the Commission.

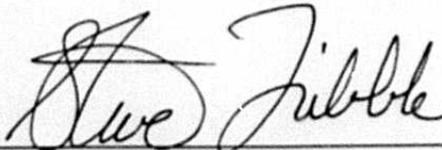
It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 146-W and 103-S held by Poinciana Utilities, Inc., 14 Doverplum Center, Kissimmee, Florida 32759, are hereby amended to include the territory in Polk County described in Attachment A of this Order. Poinciana shall return Certificates Nos. 146-W and 103-S to this Commission within 20 days of this Order for entry reflecting the additional territory. It is further

ORDERED that Poinciana Utilities, Inc. shall charge the customers in the additional territory the rates and charges set forth in the body of this Order until authorized to change by this Commission. It is further

ORDERED that Docket No. 900951-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 15<sup>th</sup> day of APRIL, 1991.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ALC

ORDER NO. 24370  
DOCKET NO. 900951-WS  
Page 6

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

ORDER NO. 24370  
 DOCKET NO. 900951-WS  
 Page 7

ATTACHMENT A

PAGE 1 OF 3

POINCIANA UTILITIES, INC.

TERRITORY DESCRIPTION

POLK COUNTY

In Township 26 South, Range 28 East.

Section 29: The E 1/2.  
 Section 32: the NE 1/4 of the NE 1/4.

In Township 27 South, Range 28 East.

Section 5: All.  
 Section 6: The SE 1/4 of the NE 1/4; the E 1/2 of the SE 1/4.  
 Section 7: The NW 1/4 of the NE 1/4; the NE 1/4 of the NW 1/4; the W 1/2 of the NW 1/4; the E 1/2 of the SW 1/4; the SW 1/4 of the SW 1/4; the S 1/2 of the NW 1/4 of the SW 1/4.  
 Section 8: All.  
 Section 13: All.  
 Section 14: All.  
 Section 15: All.  
 Section 16: All.  
 Section 17: The NE 1/4 of the NE 1/4.  
 Section 18: The N 3/4.  
 Section 19: The S 1/2 of the NE 1/4; the S 1/2 of the NW 1/4; the NW 1/4 of the NW 1/4; the W 1/2 of the SW 1/4; the W 1/2 of the SE 1/4 of the SW 1/4; the SE 1/4 of the SW 1/4; the S 1/2 of the SE 1/4; all less the right of way for State Road 580.  
 Section 21: All.  
 Section 22: All.  
 Section 23: All.  
 Section 24: All.  
 Section 25: All.  
 Section 26: All.  
 Section 27: The NE 1/4; the E 1/2 and the NW 1/4 of the NW 1/4; the E 1/2 and the NW 1/4 of

ATTACHMENT A

PAGE 2 OF 3

## POINCIANA UTILITIES, INC.

## TERRITORY DESCRIPTION

## POLK COUNTY

the SE 1/4.  
 Section 28: The S 1/2 of the NW 1/4; the N 1/2 of the SW 1/4 of the SW 1/4.  
 Section 29: The NE 1/4; the E 1/2 of the NW 1/4; the E 1/2 of the SW 1/4; the SW 1/4 of the SW 1/4; the N 1/2 of the SE 1/4; the SE 1/4 of the SE 1/4.  
 Section 30: The E 1/2; the E 1/2 of the NW 1/4; the E 1/2 of the NW 1/4 of the NW 1/4; the SW 1/4 of the NW 1/4 of the NW 1/4; the NE 1/4 of the SW 1/4.  
 Section 32: All the E 1/2, less the North 200 feet of the NW 1/4 of the NE 1/4.  
 Section 33: All, less the SW 1/4 of the NW 1/4.  
 Section 34: The SW 1/4 of the NW 1/4; the NW 1/4 of the SW 1/4; all of the NE 1/4 of the NE 1/4 lying North of Lake Marion Creek.  
 Section 35: All, less the W 1/2 of the SW 1/4, and less the SW 1/4 of the NW 1/4.  
 Section 36: All.

## In Township 28 South, Range 28 East.

Section 1: All.  
 Section 2: All, less the SW 1/4 of the SE 1/4.  
 Section 3: All.  
 Section 4: All.  
 Section 9: All.  
 Section 10: All.  
 Section 11: All.  
 Section 12: All.  
 Section 13: All, less the SE 1/4.  
 Section 14: All.  
 Section 15: All.  
 Section 16: All.  
 Section 21: The NE 1/4; the SE 1/4 lying North of Old Lake Hatchineha Road (SR 542); the E 1/2 of the NW 1/4; the SE 1/4 of the NW 1/4, less the North 400 feet of the West 660 feet thereof; the NW 1/4 of the SW 1/4 less the West 30 feet thereof; the S 1/2 of

ORDER NO. 24370  
 DOCKET NO. 900951-WS  
 Page 9

ATTACHMENT A

PAGE 3 OF 3

POINCIANA UTILITIES, INC.

TERRITORY DESCRIPTION

POLK COUNTY

the NE 1/4 of the SW 1/4 lying North of the Old Hatchineha Road (SR 542); all less the Right of Way of Old Lake Hatchineha Road (SR 542).

Section 22: All, less the right of way for State Road 542.

In Township 28 South, Range 29 East.

Sections 5 and 8, and all that portion of Sections 4, 9, 16, and 17, lying West and North of the following described line; begin at a point on the North line of said Section 4, said point being 660.0 feet East of the NW corner of said Section 4; thence run S 0' 04' 17" W, parallel to the West line of said Section 4, for a distance of 5180.31 feet; thence run S 0' 06' 30" W, 660 feet East of and parallel to the West line of said Section 9, for a distance of 5443.73 feet (S 0' 16' 30" W, 10623.4 feet, deed) to a point 50.0 feet northwesterly from the centerline of an existing drainage canal; thence run S 44' 50' 30" W (S 45 10 W, deed) 50.0 feet Northwesterly of and parallel to the centerline of said canal, for a distance of 354.39 feet (373.05, deed); thence run S 61' 37' 30" W (S 61' 50' W, deed) continuing 50.0 feet from and parallel to the centerline of said canal, for a distance of 1733 feet, more or less (1200.00, (deed); to the edge of Lake Hatchineha; thence meander Northwesterly along the edge of Lake Hatchineha to its intersection with the West line of said Section 8.

Section 6: All.

Section 7: All.

Section 18: The North 1,976.01 feet of the West 2,172.63 feet, all lying North and West of Lake Hatchineha.