

**ORIGINAL
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MEMORANDUM

October 9, 1991

**TO : DIVISION OF LEGAL SERVICES (CROSBY)
DIVISION OF RECORDS AND REPORTING**

FROM : DIVISION OF WATER AND SEWER (MCROY) *JFA MDM*

**RE : DOCKET NO. 910832-W8, APPLICATION BY POINCIANA UTILITIES,
INC. FOR AMENDMENT OF CERTIFICATES NO. 146-W AND 103-S IN
OSCEOLA COUNTY, FLORIDA**

Poinciana Utilities, Inc. (PUI or utility) is a class B water and wastewater utility providing service to 3,825 water and 3,661 wastewater customers in Osceola County. Within its 1990 annual report, the utility reported combined annual revenues of \$ 1,692,000 and a net operating income of \$ 190,000 for its water and wastewater system.

On August 5, 1991, the utility applied for an amendment to its Water Certificate No. 146-W and Wastewater Certificate No. 103-S in Osceola County, Florida. The proposed territory is located off Poinciana Boulevard in Osceola County. This amendment is to provide service for a proposed new high school.

The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for amendment of certificate. The application contains a check in the amount of \$ 300.00 which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence that the utility owns the land upon which the utility's facilities are located as required by Rule 25-30.036(1)(d), Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(1)(e), (f) and (i), Florida Administrative Code. A description of the territory requested by the utility is appended to this memorandum as Attachment A. The utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, that it has tariffs and annual reports on file with the Commission.

In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida

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Administrative Code. No objections to the notice of application have been received and the time for filing such has expired.

Presently, PUI provides quality water and wastewater services to the residents of Osceola County. The utility has the capability and financial resources to adequately service the proposed new territory. The one high school service connection will have no substantial effect on the utility's financial status. PUI currently has no outstanding violation reported by the Department of Environmental Regulation in regards to it's Woods and Meadows Estate treatment plant.

Staff believes that PUI should be allowed to serve the territory for the proposed high school because there is a need for water and wastewater service. Also, the proposed territory is contiguous to the utility's present service area. The Osceola County Planning Department has indicated that the request for service to the proposed high school is consistent with the Comprehensive Plan of Osceola County.

Based on the above information, staff believes it is in the public interest to grant the application of PUI for amendment of its Water Certificate No. 146-W and Wastewater Certificate No. 103-S for the territory described in Attachment A. An administrative order should be issued approving the application.

The utility's approved rates and charges were effective July 29, 1991, pursuant to a 1991 price index pass through. The utility has indicated that the proposed amendment will have no significant impact on its existing rates and charges. Staff recommends that these rates and charges be applied to customers in the new service territory.

The utility has filed revised tariff sheets incorporating the additional territory into its tariff and also returned its certificates for entry to reflect the additional territory.

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ATTACHMENT "A"

Township 26 South, Range 28 East

Sections 10, 11

A parcel of land lying in the SE 1/4 of Section 10, Township 26 South, Range 28 East, and the SW 1/4 of Section 11, Township 26 South, Range 28 East, West of Poinciana Boulevard, all in Osceola County, Florida and being more particularly described as follows:

Beginning at the Southwest corner of Section 11, Township 26 South, Range 28 East, Osceola County, Florida, run S 89 50' 36" E, along the South line of said Section 11, 1223.06 feet to the West Right-of-Way line of Poinciana Boulevard, as described in O.R. Book 223, Page 306 of the Public Records of Osceola County, Florida; run thence N 00 00' 00" E, along said West Right-of-Way line, 2200.00 feet; run thence N 89 50' 36" W, parallel with the South line of aforesaid Section 11, 1450.00 feet; run thence S 00 00' 00" W, parallel with aforesaid West Right-of-Way line, 2199.49 feet, to the South line of Section 10, Township 26 South, Range 28 East, Osceola County, Florida; run thence S 89 42' 56" E, along said South line, 226.94 feet, to a Point of Beginning. Contains 73.23 acres, more or less.