

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Poinciana)
Utilities, Inc. for amendment of)
Certificates Nos. 146-W and 103-S in)
Osceola County, Florida.)
_____)

DOCKET NO. 910832-WS
ORDER NO. 25220
ISSUED: 10/15/91

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On August 5, 1991, Poinciana Utilities, Inc. (Poinciana or Utility) filed an application with this Commission to amend Certificates Nos. 146-W and 103-S to include additional territory in Osceola County, Florida. The Utility has requested the amendment in order to provide service to a proposed new high school.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules. In particular, the notarized application contains:

1. A filing fee in the amount of \$300, as prescribed by Rule 25-30.020, Florida Administrative Code.
2. Adequate service territory and system maps and a territory description, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory in Osceola County is described in Attachment A of this Order.
3. Proof of notice to interested governmental and regulatory agencies and utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in Osceola County, as prescribed by Rule 25-30.030, Florida Administrative Code.
4. Evidence that the Utility owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

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

Since Poinciana has been in operation under our jurisdiction since 1973, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. From the information filed with the application, it appears that Poinciana

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has the financial ability to serve the additional territory. 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, which by reference is incorporated herein. Poinciana has submitted Certificates Nos. 146-W and 103-S to the Commission for entry reflecting the additional territory. The Utility has also submitted revised tariff sheets reflecting the amendment.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 146-W and 103-S, held by Poinciana Utilities, Inc., 14 Dover Plum Center, Poinciana, Florida 34759, are hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that the customers in the territory added herein shall be charged the rates and charges approved in the Utility's tariff. It is further

ORDERED that Docket No. 910832-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 15th day of OCTOBER, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Flynn
Chief, Bureau of Records

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

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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.

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ATTACHMENT A

**Township 26 South, Range 28 East
Sections 10, 11**

A parcel of land lying in the Southeast 1/4 of Section 10, Township 26 South, Range 28 East, and the Southwest 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.

M E M O R A N D U M

October 15, 1991

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (CROSBY) *had*
**RE: DOCKET NO. 910832-WS - APPLICATION BY POINCIANA
UTILITIES, INC. FOR AMENDMENT OF CERTIFICATES NOS. 146-W
AND 103-S IN OSCEOLA COUNTY**

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Attached is an Order Amending Certificates to Include
Additional Territory to be issued in the above-referenced Docket.
(Number of Pages in Order - 4)

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Attachment

cc: Division of Water and Wastewater
(McRoy)

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