

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application For) DOCKET NO. 931000-WS
Amendment of Certificates Nos.) ORDER NO. PSC-94-0116-FOF-WS
534-W and 465-S in Lake County) ISSUED: January 31, 1994
by Lake Groves Utilities, Inc.)
_____)

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

On October 13, 1993, Lake Groves Utilities, Inc. (Lake Groves or Utility) filed an application with this Commission to amend Certificates Nos. 534-W and 465-S to include additional territory in Lake County, Florida. Lake Groves currently serves approximately 175 water and wastewater customers. The Utility will provide water and wastewater to six developers in the additional territory. All facilities necessary to serve the additional territory will be installed by the developers and contributed to the Utility.

Application

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. In particular, the application contains a filing fee in the amount of \$4,500, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, Lake Groves provided evidence, in the form of warranty deeds, that it owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory which Lake Groves is requesting to serve in Lake County is described in Attachment A of this Order.

DOCUMENT NUMBER-DATE

00970 JAN 31 1994

FPSC-RECORDS/REPORTING

Lake Groves has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. No objections to the notice of application have been received and the time for filing such has expired.

Since Lake Groves has been in operation under our jurisdiction since March 25, 1991, 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 Lake Groves also has the financial ability to serve the requested area. In addition, according to the Department of Environmental Protection there are no outstanding notices of violation against the Utility.

Therefore, we find that it is in the public interest to amend Certificates Nos. 534-W and 465-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Lake Groves has returned Certificates Nos. 534-W and 465-S to this Commission for entry reflecting the additional territory.

Rates and Charges

Lake Groves' existing rates and charges became effective pursuant to Order No. 24283, issued on April 30, 1991 in Docket No. 900957-WS. Lake Groves shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission in a subsequent proceeding. The Utility has filed revised tariff sheets reflecting the amendment.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 534-W and 465-S, held by Lake Groves Utilities, Inc., Post Office Box 915505, Longwood, Florida 32791, 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 Lake Groves shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 931000-WS is hereby closed.

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By ORDER of the Florida Public Service Commission, this 31st
day of January, 1994.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

ATTACHMENT A

LAKE GROVES UTILITIES, INC.

Territory Description

That part of Section 23, Township 24 South, Range 26 East, Lake County, Florida, described as follows: The South 3/4 of the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 23, Township 24 South, Range 26 East, Lake County, Florida, less the South 100.00 feet thereof; that part of the South 3/4 of the East 1/2 of the Southwest 1/4 lying East of the Northeasterly right-of-way line of U.S. Highway 27, less the South 100.00 feet thereof; that part of the West 1/2 of said Section 23, lying East of the Northeasterly line of U.S. Highway 27 and lying South and Southeasterly of the following-described line: From the Northwest corner of the Southwest 1/4 of said Section 23, run North 89°42' East along the North line of the said Southwest 1/4 a distance of 502.64 feet, more or less, to the Easterly right-of-way line of U.S. Highway 27, thence South 20°23'20" East along said right-of-way line 94.17 feet to a Point of Beginning. Thence North 89°50'40" East 375.55 feet, thence North 39°19'10" East 229.10 feet; thence North 47°37'10" East 363.28 feet to a point on the East line of the West 1/4 of said Section 23 for a Point of Terminus.

AND TOGETHER WITH

The North 1/2 of the Northwest 1/4 lying West of U.S. Highway 27 in Section 26, Township 24 South, Range 26 East.

AND TOGETHER WITH

In Township 24 South, Range 26 East, Lake County, Florida:

Section 14: The West 1/2 of the Southwest 1/4.

Section 15: That part of the Southeast 1/4 lying East of U.S. Highway 27; LESS begin where the North boundary of said Southeast 1/4 intersects the East boundary of U.S. Highway 27 right-of-way (as it existed in 1978), thence run East along said North boundary 225 feet, thence South 00°05'39" East 117.23 feet, thence West parallel with said North boundary 181.60 feet, more or less, to the U.S. Highway 27 right-of-way, thence Northwesterly along said right-of-way 125.00 feet to the Point of Beginning.

Section 22: That part of the Northeast 1/4 lying East of U.S. Highway 27.

Section 23: That part of the Northwest 1/4 of the Northwest 1/4 and that part of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 lying East of U.S. Highway 27; LESS begin where the South boundary of said North 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 intersects the East boundary of U.S. Highway 27 right-of-way (as it existed in 1975), thence run North 89°46'29" East along said South boundary 230.00 feet, thence North 00°00'28" East 117.32 feet, thence South 89°46'29" West 273.61 feet, more or less, to the U.S. Highway 27 right-of-way, thence South 20°24'30" East along said right-of-way 125.00 feet to the Point of Beginning.

AND TOGETHER WITH

The North 2025.73 feet of the Northeast 1/4, West of right-of-way of U.S. Highway 27 and the North 2025.73 feet of the East 1/4 of the Northwest 1/4, all in Section 22, Township 24 South, Range 26 East (less and except 30 feet along the North boundary of all of the foregoing which is reserved for right-of-way), and all that portion of the North 705.73 feet of the Southwest 1/4 of the Northwest 1/4 West of right-of-way of U.S. Highway 27, Section 23, Township 24 South, Range 26 East, all in Lake County, Florida.

AND TOGETHER WITH

The South 1/2 of Section 11, Township 24 South, Range 26 East, and the South 1/2 of Section 10, Township 24 South, Range 26 East, lying East of U.S. Highway 27, all being in Lake County, Florida.

AND TOGETHER WITH

That part of the Northwest 1/4 which lies East of State Road 25 (U.S. Highway 27), and the Northwest 1/4 of the Northeast 1/4, all in Section 10, Township 24 South, Range 26 East, Lake County, Florida.

AND TOGETHER WITH

All lands described below are situated in Township 24 South, Range 26 East, Lake County, Florida:

Section 3:

The Southwest 1/4 of the Northwest 1/4 of Section 3; and

The North 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 3; and

That part of the Southwest 1/4 of the Southwest 1/4 of Section 3 lying South and West of the Westerly line of the right-of-way of U.S. Highway 27; and

Section 4, less and except:

That part of a) the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4, and b) the Southeast 1/4 of the Southeast 1/4 of said Section 4 lying East of the West line of the right-of-way of U.S. Highway 27; and

Less and except that part of Section 4 described as: begin at the Northeast corner of Section 4, thence South along the East boundary line of Section 4 a distance of 240.00 feet, thence West 195.00 feet, thence Northwesterly 404.00 feet, more or less, to a point on the North boundary of Section 4 a distance of 520.00 feet from the Northeast corner of Section 4, thence East to the Point of Beginning; and

Section 8, less and except:

The Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Said Section 8; and

Section 9, and

Section 10:

That part of the West 1/2 of Section 10 lying West of the right-of-way U.S. Highway 27.