



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. Also, from the information filed with the application, it appears that Poinciana 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. 146-W and 103-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Poinciana has returned the Certificates to this Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

Poinciana's existing rates and charges became effective on July 16, 1993, pursuant to a price index rate increase. Prior to that time, the rates were changed by Order No. 22166, issued on December 5, 1989 in Docket No. 881053-WS. Poinciana's service availability charges were set on April 26, 1988, by Orders Nos. 19092 and 19233, issued in Docket No. 870689-WS. Poinciana 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.

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 Poinciana 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. 930690-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 2nd day of November, 1993.

  
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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

POINCIANA UTILITIES, INC.

TERRITORY DESCRIPTIONS - OSCEOLA COUNTY

SUMMIT HILL SUBDIVISION

In Township 26 South, Range 29 East

Section 7: The Southwest 1/4 of the Northwest 1/4

In Township 26 South, Range 28 East

Section 12: From the Northeast corner of the Southeast 1/4 of the Northeast 1/4; run South 00° 04' 23" East 211.93 feet along the East Line of the Northeast 1/4 of Section 12, Township 26 South, Range 28 East, to the Point of Beginning (P.O.B.); thence run South 89° 43' 03" West 1,729.79 feet; thence North 25° 08' 28" West 77.99 feet; thence run North 00° 08' 59" West 314.61 feet to a point being on the Southeasterly right-of-way of State Road 535 (Ham Brown Road); thence run Southwesterly along the southeasterly right-of-way of State Road 535 and the arc of said curve 558.60 feet said curve having chord bearing of South 44° 05' 05" West and a chord distance of 539.08 feet; thence run North 89° 43' 03" East 342.82 feet; thence South 25° 11' 48" East 78.57 feet; thence South 00° 08' 59" East 1,252.40 feet; thence run North 89° 42' 41" East 1,776.51 to the East Line of the Northeast 1/4 of Section 12; thence run North 00° 46' 50" West 1,320.47 feet to the P.O.B.