

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 940729-SU  
amendment of Certificate No. ) ORDER NO. PSC-95-0211-FOF-SU  
179-S in Duval County by ) ISSUED: February 16, 1995  
Jacksonville Suburban Utilities )  
Corporation )  
\_\_\_\_\_ )

ORDER AMENDING CERTIFICATE TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

Jacksonville Suburban Utilities Corporation (Jacksonville Suburban or utility) is a Class A utility which provides water and wastewater service to approximately 27,000 customers pursuant to Certificates Nos. 236-W and 179-S in Duval, St. Johns, and Nassau Counties. The utility's 1993 annual report reflects annual operating revenues of \$17,950,991 and a net operating income of \$2,764,991.

Application

On September 27, 1994, Jacksonville Suburban filed an application for an amendment of Certificate No. 179-S, to include additional territory in Duval County, Florida. Within this territory, the utility will provide wastewater service to the ZEP CENTER II Property, a commercial venture which allows office, warehouse, and retail business to be constructed. The ZEP CENTER II Property contains one commercial business, which the utility anticipates serving as one general service commercial customer requiring one equivalent residential connection. Service will be provided by extending a force main to serve the area.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. The application contains a filing fee in the amount of \$150, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, the utility provided evidence, in the form of a warranty deed, that it owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

DOCUMENT NUMBER-DATE

01854 FEB 16 95

FPSC-RECORDS/REPORTING

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 additional territory is appended to this Order 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, Jacksonville Suburban has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. One customer objection to the notice of application was received on July 11, 1994. Although no hearing on the matter was requested, the customer questioned whether the utility should be permitted to service a larger area when a number of existing customers have been experiencing certain service problems for the past several years. However, on November 24, 1994, the customer withdrew the objection in response to the utility's assurances that it will address the backflow problem which this customer has been experiencing. The time for filing objections has expired. The local planning agency was provided notice of the application and did not file a protest to the amendment. Further, according to the utility, the provision of service is consistent with the Duval County local comprehensive plan.

According to the Department of Environmental Protection (DEP), there are no outstanding notices of violation issued for this system. The utility projects that there will be no impact on the utility's capital structure. Upon consideration of the facts as represented to us, we find that Jacksonville Suburban has demonstrated the financial and technical ability to provide quality service to these customers.

Based on the foregoing, we find that it is in the public interest to amend Certificate No. 179-S in Duval County, to include the territory described in Attachment A of this Order, which is incorporated herein by reference.

#### Rates and Charges

The utility's approved rates and charges were effective September 19, 1989, pursuant to Order No. 21871, issued September 11, 1989, in Docket No. 890968-WS. Jacksonville Suburban has exercised the statutory provision of increasing rates through price indexing and pass through rate adjustments in 1986, 1987, 1988 and 1989. The utility projects that there will be no impact from the extension of service to the territory added herein on the utility's monthly rates and charges. Jacksonville Suburban shall

charge the customers in the additional territory 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 to incorporate the additional territory into its tariff and has returned the Certificate to the Commission for entry reflecting the additional territory. Since no further action is required, this docket shall be closed.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 179-S, held by Jacksonville Suburban Utilities Corporation, 1400 Millcoe Road, Jacksonville, Florida 32225, is hereby amended to include the territory described in Attachment A of this Order, which is incorporated herein by reference. It is further

ORDERED that Jacksonville Suburban Utilities Corporation 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. 940729-SU is hereby closed.

By ORDER of the Florida Public Service Commission, this 16th day of February, 1995.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Jeyne  
Chief, Bureau of Records

( S E A L )

RGC

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 and/or wastewater 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.

ATTACHMENT A

JACKSONVILLE SUBURBAN UTILITIES CORPORATION

DUVAL COUNTY - SAN JOSE SERVICE AREA

SEP PROPERTIES, II

Township 3, South, Range 27 East

A portion of Sections 05, 08 and 17  
More particularly described as follows:

Commencing at the intersection of an easterly extension of the southerly right-of-way line of University Boulevard (as now established, also known as State Highway 109) with the westerly right-of-way line of U.S. Highway No. 1 (Phillips Highway) thence on said southerly right-of-way line of University Boulevard South 53 degrees 52 minutes 00 seconds West, 1368.40 feet to the easterly right-of-way line of Powers Avenue (an 85-foot right of way as now established); thence South 31 degrees 15 minutes 50 seconds East along said easterly right-of-way line of Powers Avenue, a distance of 419.46 feet to the most southerly corner of that certain right-of-way (known as University Boulevard Court) as shown on the State Department of Transportation (Section 72014-2502, Sheet 3) for a point of beginning; thence continue South 31 degrees 15 minutes 50 seconds East along said easterly right-of-way line of Powers Avenue, a distance of 189.36 feet; thence North 53 degrees 02 minutes 40 seconds East 315.00 feet to the easterly line of said Lot 2; thence North 31 degrees 15 minutes 50 seconds West, along said easterly line of Lot 2, 244.41 feet to a point situated in the easterly line of said University Boulevard Court, said point being situated in a curve concave to the west and having a radius of 180.00 feet; thence around and along said curve and along said easterly right-of-way line, South 34 degrees 56 minutes 51 seconds West, 111.38 feet (chord bearing and distance) to the point of tangency of said curve; thence South 52 degrees 58 minutes 10 seconds West, along the southeasterly line of said University Boulevard Court, 192.61 feet; thence South 10 degrees 51 minutes 10 seconds West, 29.67 feet to the Point of Beginning.

As recorded in Duval County Public Records, Lot 2, Dixie Farms, Plat Book 7, Page 12.