

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request to correct description of territory granted by Order Nos. PSC-94-0992-FOF-WS and PSC-94-0992A-FOF-WS in Martin County by Florida Water Services Corporation.

DOCKET NO. 990086-WS
ORDER NO. PSC-99-0430-FOF-WS
ISSUED: March 3, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER CORRECTING ORDERS NOS. PSC-94-0992-FOF-WS
AND PSC-94-0992A-FOF-WS TO REFLECT ACCURATE
TERRITORY DESCRIPTION, AND CLOSING DOCKET

BY THE COMMISSION:

On July 15, 1993, Southern States Utilities, Inc. (now Florida Water Services Corporation), filed an application for amendment of Certificates Nos. 368-W and 319-S to include additional territory in Fisherman's Haven, Leilani Heights and Fox Run in Martin County. The Commission granted Florida Water Services Corporation (Florida Water or utility) the additional territory by Orders Nos. PSC-94-0992-FOF-WS and PSC-94-0992A-FOF-WS, issued on August 16, 1994, and August 30, 1994, respectively, in Docket No. 930699-WS. The additional territory approved by the Commission was shown on Attachment A of those Orders.

By letter dated November 12, 1998, Florida Water informed the Commission that the territory description granted by Orders Nos. PSC-94-0992-FOF-WS and PSC-94-0992A-FOF-WS was incorrect as a result of a scrivener's error. The utility discovered the error in a review of the service areas under Commission jurisdiction. When maps were compared to legal descriptions, it was discovered that the current tariffs for Leilani Heights were incorrect. Attachment A of those Orders incorrectly described the Leilani Heights

DOCUMENT NUMBER-DATE

02706 MAR-3 99

FPSC-RECORDS/REPORTING

ORDER NO. PSC-99-0430-FOF-WS
DOCKET NO.. 990086-WS
PAGE 2

territory in Township 37 South, Range 41, East, Section 22, as follows:

Water System:

The East 1/2 of the South 1/2 of the South 1/2 of the Northwest 1/4.

Wastewater System:

The South 1/2 of the South 1/2 of the Northwest 1/4.

The correct description of the territory in Township 37 South, Range 41 East, Section 22, is as follows:

Water System:

The East 1/2 of the South 1/2 of the South 1/2 of the Southwest 1/4.

Wastewater System:

The South 1/2 of the South 1/2 of the Southwest 1/4.

The correction does not affect any customers or add any additional area to Florida Water's certificated territory. The mistake appears to be a scrivener's error. Accordingly, we find it appropriate to correct Orders Nos. PSC-94-0992-FOF-WS and PSC-94-0992A-FOF-WS to reflect the correct territory description as shown on Attachment A of this Order, which by reference is incorporated herein. The utility provided tariff sheets reflecting the correct description.

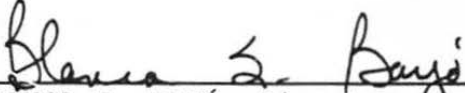
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request of Florida Water Services Corporation, Post Office Box 609520, Orlando, Florida 32860-9520, to correct the scrivener's error in the Leilani Heights territory approved by Orders Nos. PSC-94-0992-FOF-WS and PSC-94-0992A-FOF-WS is hereby granted. The Orders are hereby corrected to reflect the correct territory description as shown on Attachment A of this Order, which by reference is incorporated herein. It is further

ORDER NO. PSC-99-0430-FOF-WS
DOCKET NO. 990086-WS
PAGE 3

ORDERED that Docket No. 990086-WS is hereby closed.

By ORDER of the Florida Public Service Commission this 3rd day of March, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

ALC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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

FLORIDA WATER SERVICES CORPORATION

Martin County

Corrected Territory Description

Leilani Heights

Water Service Area

Township 37 South, Range 41 East

Section 22

The East 1/2 of the South 1/2 of the South 1/2 of the Southwest 1/4.

Section 27

The North 1/4 lying West of the Florida East Coast Railway, except the South 1/2 of the Northwest 1/4 of the Northwest 1/4.

Wastewater Service Area

Township 37 South, Range 41 East

Section 22

The South 1/2 of the South 1/2 of the Southwest 1/4.

Section 27

The North 1/4 lying West of the Florida East Coast Railway, except the South 1/2 of the Northwest 1/4 of the Northwest 1/4.