

**BEFORE THE PUBLIC SERVICE COMMISSION
OF
THE STATE OF MISSISSIPPI**

F & H UTILITIES, LLC
SC020220400

DOCKET NUMBER 2019-UA-115

IN RE: APPLICATION OF F & H UTILITIES, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING IT TO CONSTRUCT, OPERATE AND MAINTAIN A SEWER SYSTEM IN A SPECIFIED AREA IN LAMAR COUNTY, MISSISSIPPI (*COPPERFIELD SUBDIVISION*)

**ORDER GRANTING SUPPLEMENTAL CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY**

THIS DAY, there came on for consideration the duly verified Petition of F & H Utilities, LLC ("F & H"), requesting a Supplemental Certificate of Public Convenience and Necessity ("Supplemental Certificate") to construct, operate and maintain a sewer system in a specified area of Lamar County, Mississippi. The Mississippi Public Service Commission ("Commission"), being fully apprised in the premises and having considered the documents and record before it, and upon recommendation of the Public Utilities Staff, finds as follows:

(1)

F & H operates as a public utility pursuant to Miss. Code Ann. §77-3-3(d)(iv) and pursuant to its Initial Certificate issued in Docket 2006-UA-168, for the provision of sewer service, to the public for compensation, within Kingsmill Subdivision located in Lamar County.

(2)

F & H seeks to expand its sewer operations in Lamar County to include its revised and proposed Certificated Area, more particularly described in Exhibit "A", attached hereto and incorporated herein. F & H's revised legal description is contained within the record as Revised

Exhibit “C.” The Commission has inpersonam jurisdiction over F & H and over the subject matter herein.

(3)

The Commission, in accordance with applicable Mississippi law, provided notice of F & H’s filing through publication in these newspapers of general circulation: *The Clarion-Ledger* on July 20, 2019, and *The PineBelt NEWS* published in Lamar County on July 25, 2019. These publications are contained within the record of this matter and are incorporated herein by reference. In addition to publication, all interested persons, as defined in RP 2.115 of the Commission’s *Public Utilities Rules of Practice and Procedure*, were provided notice of the filing. No protests or requests to intervene have been filed in this Docket.

(4)

The proposed sewer system will serve Phase 1 of a new development known as *Copperfield Subdivision* consisting of around 35 lots, along with an area along Hunter’s Lane, as described in Amended Exhibit “D” of the record filed on May 22, 2020. The grant of the proposed Certificate is a requisite for the proper development of the lots and to ensure the environmental quality of the area.

(5)

The proposed sewer collection system is a low pressure sewer main system utilizing small grinder pumps and force mains. Each lot will have a grinder pumping unit after which the wastewater is transported to a common force main. The low pressure sewer main system will discharge directly into an existing wastewater lift station owned by the City of Hattiesburg (“Hattiesburg”). The wastewater flow will then be transported through Hattiesburg’s collection system to its treatment facility. F & H testified in Amended Exhibit “N” of the record that it

explored other limited options available for the treatment of its wastewater flow but concluded that there are no other economically feasible options for the treatment of its wastewater flow.

(6)

The installation costs of the sewer system will be funded by the developer of Copperfield Subdivision and from the sale of the lots within the subdivision. Per Revised Exhibit "H", F & H will not seek recovery of the initial capital costs in rate base or rates in the future.

(7)

F & H is ready, willing and able to construct, operate and maintain a sewer system so as to render sewer service, to the public for compensation, in the specified area of Lamar County, Mississippi, as described in attached Exhibit "A."

(8)

F & H has shown that the present and future public convenience and necessity justifies and requires the grant of a Supplemental Certificate so that it can furnish sewer service to the proposed Certificated Area described in attached Exhibit "A."

(9)

F & H shall apply, until changed by subsequent Commission Order, to the expanded Certificated Area, defined in attached Exhibit "A", its Commission-approved Tariff, approved in Docket 2010-UN-0240. This Tariff reflects the monthly base rate, other rates, and a pass-through effluent cost, as set and charged by Hattiesburg to F & H.

F & H shall continue to reflect on its customer bills, as a separate line item, Hattiesburg's treatment charge, with notification thereon, that this charge was set by Hattiesburg.

IT IS, THEREFORE, ORDERED that:

(1)

F & H is hereby granted a Supplemental Certificate to construct, operate and maintain a sewer system so as to furnish sewer service, to the public for compensation, in the specified area of Lamar County, Mississippi, as described in attached Exhibit "A." F & H shall serve all persons and entities requesting sewer service in said Certificated Area.

(2)

Nothing in this Order shall affect the right of any other sewer provider to continue rendering service to any customer that it was legally serving upon the effective date of this Order.

(3)

F & H's current Tariff, which describes its approved rates, including its current pass-through charge, as set by Hattiesburg, shall apply to the customers located in the Supplemental Area, as described herein, until changed by a subsequent Commission Order.

(4)

This Order shall be deemed issued on the date it is served upon the parties herein by the Executive Secretary of this Commission who shall note the service date in the file of this Docket.

Chairman Dane Maxwell

Aye X Nay _____

Commissioner Brent Bailey

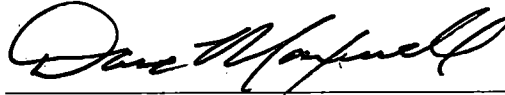
Aye X Nay _____

Commissioner Brandon Presley

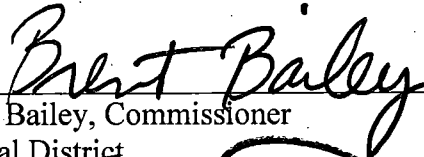
Aye X Nay _____

DATED this the 2nd day of February 2021.

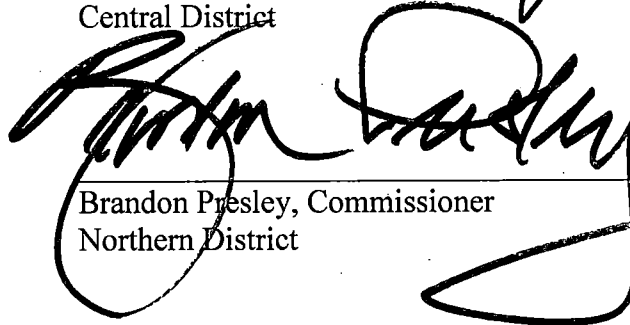
MISSISSIPPI PUBLIC SERVICE COMMISSION



Dane Maxwell, Chairman
Southern District.

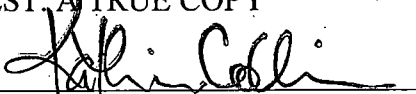


Brent Bailey, Commissioner
Central District



Brandon Presley, Commissioner
Northern District

ATTEST: A TRUE COPY



Katherine Collier, Executive Secretary

Effective this the 2nd day of February 2021.

CERTIFICATED AREA LEGAL DESCRIPTION:

Commence at a found iron pipe marking the Southwest corner of the Southwest 1/4 of the Northeast 1/4 of Section 20, Township 4 North, Range 14 West, Lamar County, Mississippi; Thence S89°35'41"E along the South boundary of the Southwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Northeast 1/4 of said Section 20 a distance of 1960.34 feet to a found concrete monument marking the Northeast corner of Lot 43, Plantation Subdivision, Phase III for the true POINT OF BEGINNING; Thence S00°31'14"W a distance of 659.55 feet to a found 1/2 inch re-bar marking the Northwest corner of Lot 44, The Plantation Subdivision, Phase IV, an unrecorded subdivision; Thence S82°36'10"E along the North boundary of said Lot 44 a distance of 130.26 feet to a found concrete monument marking the Northeast corner of said Lot 44; Thence S82°36'10"E along the North boundary of Lot 45 and 46 a distance of 226.62 feet to a found concrete monument marking the Northeast corner of Lot 46; Thence S82°36'13"E along the North boundary of Lot 47 a distance of 96.26 feet to a found 1/2 inch re-bar marking the Northeast corner of Lot 47; Thence S82°34'54"E along the North boundary of Lot 48 a distance of 100.05 feet to a found 1/2 inch re-bar marking the Northeast corner of Lot 48; Thence S82°35'52"E along the North boundary of Lot 49 a distance of 104.91 feet to a set 1/2 inch re-bar marking the Northeast corner of Lot 49; Thence S00°28'21"W along the East boundary of said Lot 49 a distance of 221.39 feet to a point on the South right-of-way of Plantation Drive West; Thence S82°37'04"E a distance of 93.47 feet to a set 1/2 inch re-bar; Thence N00°02'45"W a distance of 222.87 feet to a set 1/2 inch re-bar; Thence N12°10'08"W a distance of 10.77 feet to a point; Thence East a distance of 1357.55 feet to a point on the Western right-of-way of Old Hwy. No. 11; Thence N09°35'28"E along the Western right-of-way of said Old Hwy. No. 11 a distance of 738.92 feet to a point; Thence N89°35'41"W a distance of 1557.00 feet to a point in a fence; Thence N00°37'22"E along said fence a distance of 183.86 feet to a point in a fence; Thence N00°05'54"E along said fence a distance of 434.31 feet to a point in a fence; Thence N01°00'19"E along said fence a distance of 474.47 feet to a point in a fence; Thence N00°01'55"E along said fence a distance of 225.45 feet to a set 1/2 inch re-bar on the South boundary of the Southeast 1/4 of the Northeast 1/4 of said Section 20; Thence N89°23'02"W along the North boundary of the Southeast 1/4 of the Northeast 1/4 of said Section 20 a distance of 459.30 feet to a point; Thence S00°02'45"E a distance of 479.42 feet to a point; Thence N89°57'15"E a distance of 72.86 feet to a point; Thence S00°02'45"E a distance of 241.44 feet to a point; Thence N89°23'16"W a distance of 79.93 feet to a point; Thence S00°14'22"W a distance of 339.77 feet to a point; Thence S89°35'41"E a distance of 90.79 feet to a point; Thence S00°24'19"W a distance of 260.00 feet to a point; Thence N89°35'41"W a distance of 291.86 feet to the POINT OF BEGINNING.

FILED

APR 06 2020

MISS. PUBLIC SERVICE
COMMISSION

EXHIBIT

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