

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgment of) DOCKET NO. 880955-SU
 sale of First Coast Utilities, Inc. in) DOCKET NO. 21196
 Duval County to City of Jacksonville) ISSUED: 5-8-89
 and cancellation of Certificate No.)
 221-S.)
 _____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER ACKNOWLEDGING TRANSFER, CANCELLING
 CERTIFICATE, REFERRING OUTSTANDING REGULATORY
 ASSESSMENT FEES TO COMPTROLLER AND CLOSING DOCKET

BY THE COMMISSION:

On July 14, 1988, this Commission received an application seeking formal acknowledgment of the transfer of First Coast Utilities, Inc. (First Coast) to the City of Jacksonville (City). Docket No. 880955-SU was opened to consider the transfer.

During the review of the application, we became aware that First Coast had paid approximately one-half of the amount of regulatory assessment fees due for the years 1985, 1986, and 1987, and none for 1988. Following is a breakdown of amounts outstanding, plus penalties and interest:

<u>Year</u>	<u>Total Amount*</u>	<u>Amount Paid</u>	<u>Amount Outstanding</u>	<u>Penalties</u>	<u>Interest</u>
1985	\$1,090.10	\$173.23	\$1,735.87	\$433.97	\$624.91
1986	1,573.53	765.35	808.18	202.05	193.96
1987	1,741.00**	856.91	884.09	221.02	106.09
1988	871.00**	0	871.00	217.75	52.26
Total Outstanding Through June 30, 1988					\$6,351.15

*Amount due in accordance with annual report.
 **Amount estimated, no annual report.

Since becoming aware of the outstanding regulatory assessment fees, numerous attempts have been made to reach Mr. Carson Schaeffer, President of First Coast. There have been no responses to our telephone calls or certified letters. Therefore, we find it appropriate to refer the outstanding regulatory assessment fees to the Comptroller for further disposition.

The City of Jacksonville purchased First Coast in June 1988 and has successfully operated the system since that time. Therefore, pursuant to Section 367.071(3)(a), Florida Statutes, which states, "The sale or transfer of a certificate or facilities to a governmental agency shall be approved as a matter of right . . .", we find it appropriate to acknowledge the transfer of First Coast Utilities, Inc. to the City of Jacksonville and cancel Certificate No. 221-S.

DOCUMENT NUMBER-DATE
 04582 MAY-8 1989
 FPSC-RECORDS/REPORTING

ORDER NO. 21196
DOCKET NO. 880955-SU
Page 2

It is, therefore,

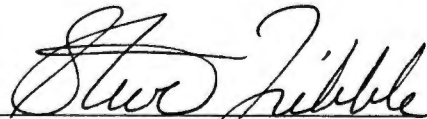
ORDERED by the Florida Public Service Commission that the transfer of First Coast Utilities, Inc., Post Office Box 11828, Jacksonville, Florida 32239-1828, to the City of Jacksonville, 220 East Bay Street, Jacksonville, Florida 32202-3493, is hereby acknowledged. It is further

ORDERED that Certificate No. 221-S is hereby cancelled. Certificate No. 221-S shall be transmitted to this Commission for cancellation within 20 days of the date of this Order. It is further

ORDERED that the outstanding regulatory assessment fees shall be referred to the Comptroller for further disposition. It is further

ORDERED that Docket No. 880955-SU is hereby closed.

By ORDER of the Florida Public Service Commission,
this 8th day of May, 1989.



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