

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950215-WU
sale of water facilities of) ORDER NO. PSC-95-0900-FOF-WU
Indian Springs Utilities, Inc.) ISSUED: July 26, 1995
to City of Crystal River and)
cancellation of Certificate No.)
429-W in Citrus County)
_____)

ORDER ACKNOWLEDGING SALE, CANCELLING CERTIFICATE NO. 429-W,
AND CLOSING DOCKET

BY THE COMMISSION:

On February 24, 1995, Indian Springs Utilities, Inc. (Indian Springs or utility), filed an application with this Commission for acknowledgement of the sale of its water facility to the City of Crystal River (City) in Citrus County. The sale and transfer of assets occurred on March 16, 1995.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sale or transfer of water and/or wastewater utilities to governmental agencies, although such sales are approved as a matter of right. Section 367.022(2), Florida Statutes, exempts from regulation by the Commission systems owned, operated, managed, or controlled by governmental agencies.

We find the application to be in compliance with the provisions of Section 367.071(4)(a), Florida Statutes, and Rules 25-30.032(1) and 25-30.037(4), Florida Administrative Code. The utility has submitted a copy of the Water Distribution System Purchase Agreement transferring the utility system to the City, in accordance with Rule 25-30.037(4)(c), Florida Administrative Code.

Pursuant to Rule 25-30.037(4)(e), Florida Administrative Code, the utility has provided a statement from the City certifying that the City has received a copy of the utility's 1993 Annual Report showing its most recent available income and expense statement, balance sheet and statement of rate base for regulatory purposes and contributions-in-aid-of-construction (CIAC). The utility's regulatory assessment fees and annual reports are current, and there are no fines due.

Further, Rule 25-30.037(4)(g), Florida Administrative Code, requires a utility to submit a statement regarding disposition of customer deposits and interest thereon. In its application, Indian Springs states that all deposits, including interest, will be applied to the final bill, and that if a credit is due, the utility

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will issue a check in that amount to each customer for whom credit is owing at the time of final billing.

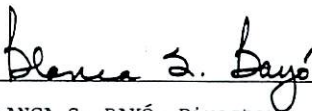
On the basis of the foregoing, we find it appropriate to acknowledge the sale and transfer of the utility's water facility to the City, and to cancel Certificate No. 429-W. We hereby direct the utility to return the certificate to this Commission for cancellation within twenty days of the issuance date of this Order. Because no further action is necessary, this docket shall be closed. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Indian Springs Utilities, Inc.'s, water facility to the City of Crystal River is hereby acknowledged. It is further

ORDERED that Certificate No. 429-W is hereby cancelled. Indian Springs Utilities, Inc., shall return the certificate to this Commission for cancellation within twenty days of the issuance date of this Order. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 26th day of July, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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, 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.