

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request For Approval of ) DOCKET NO. 951538-WU  
the Transfer of Facilities of ) ORDER NO. PSC-96-0328-FOF-WU  
Airport Road Development ) ISSUED: March 6, 1996  
Corporation to City of Kissimmee )  
and Cancellation of Certificate )  
No. 529-W in Osceola County. )  

---

ORDER ACKNOWLEDGING SALE, CANCELLING  
CERTIFICATE AND CLOSING DOCKET

BY THE COMMISSION:

On December 8, 1995, Airport Road Development Corporation (Airport Road or Utility) filed an application with this Commission for acknowledgment of the transfer of its water facilities to the City of Kissimmee. According to the application, the transfer will be completed upon approval by the Commission.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sales of water and/or wastewater utilities to governmental agencies. However, the sale or transfer of facilities to a governmental authority is approved as a matter of right. Section 367.071(4)(a), Florida Statutes.

Rule 25-30.037(4)(g), Florida Administrative Code, requires a utility to submit a statement regarding disposition of customer deposits when a utility is transferred. Airport Road does not collect customer deposits, and there are no dockets pending involving this system. Airport Road has not paid regulatory assessment fees or submitted an annual report for 1995. Therefore, Airport Road shall remain responsible for paying the appropriate regulatory assessment fees and submitting annual reports for 1995 and 1996 up to the date the transfer is final.

On the basis of the foregoing, we find it appropriate to acknowledge the transfer of Airport Road's water facilities to the City of Kissimmee and to cancel Certificate No. 529-W. Airport Road shall return Certificate No. 529-W to the Commission within 20 days of the date of this Order for cancellation.

It is, therefore,

ORDERED by the Florida Public Service Commission that the transfer of the facility of Airport Road Development Corporation, 958 South Hoagland Boulevard, Kissimmee, Florida 34741-6200, to the City of Kissimmee, 101 North Church Street, Kissimmee, Florida 34741, is hereby acknowledged. Airport Road Development

DOCUMENT NUMBER-DATE

02703 MAR-6 8

FPSC-RECORDS/REPORTING

Corporation shall return Certificate No. 529-W to the Commission with 20 days of the date of this Order for cancellation. It is further

ORDERED that Airport Road Development Corporation shall remain responsible for paying the appropriate regulatory assessment fees and submitting annual reports for 1995 and 1996 up to the date the transfer is final. It is further

ORDERED that Docket No. 951538-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 6th day of March, 1996.



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 120.59(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.