

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by South Highlands Investment Corporation to transfer the wastewater assets of Utility Corporation of Florida, Inc. to the Spring Lake Improvement District, and cancellation of Certificate No. 550-S, in Highlands County.

DOCKET NO. 140145-SU  
ORDER NO. PSC-15-0248-FOF-SU  
ISSUED: June 15, 2015

ORDER ACKNOWLEDGING TRANSFER TO A GOVERNMENTAL AUTHORITY AND  
CANCELLING CERTIFICATE NO. 550-S

BY THE COMMISSION:

Utility Corporation of Florida, Inc. (UCF or Utility) is a Class C wastewater utility providing service to approximately 314 wastewater customers in Highlands County. Wastewater rates were last established for this Utility in its 2011 rate case.<sup>1</sup>

An application for transfer of UCF's wastewater facilities to South Highlands Investment Corporation (South Highlands) was filed on July 31, 2014, as a result of a short sale in lieu of foreclosure. Since acquiring the Utility, South Highlands has been actively pursuing the sale of the Utility. Subsequent to its initial filing in the instant docket, South Highlands entered into a contract to sell the Utility to the Spring Lake Improvement District (SLID). On February 17, 2015, South Highlands filed an amendment to its petition requesting it be changed from a transfer of UCF's wastewater assets to South Highlands to a transfer to SLID, a governmental authority. On March 11, 2015, South Highlands advised the Commission that the sale had closed that day. Pursuant to Section 367.071(4), Florida Statutes (F.S.), the sale of facilities to a governmental authority shall be approved as a matter of right. As such, no notice of the transfer is required and no filing fees apply.

The amended application included a Contract for Sale and Purchase of Wastewater Assets between South Highlands and SLID. Pursuant to Section 367.071(4)(a), F.S., and Rule 25-30.037(4)(e), Florida Administrative Code (F.A.C.), UCF included a statement that SLID obtained the most recent income statement, the most recent balance sheet, a statement of rate base for regulatory purposes, and the balance of contributions-in-aid-of-construction. In accordance with Rule 25-30.037(4)(g), F.A.C., UCF specified that there are no customer deposits. We have verified that UCF is current on regulatory assessment fees (RAFs) and annual reports through December 31, 2013. We also verified that South Highlands paid the 2014 RAFs, and all 2015 RAFs for the period January 1, 2015, to the date of closing. UCF was under our jurisdiction on December 31, 2014. Therefore, pursuant to Rule 25-30.110(3) F.A.C., the Utility is required to file an annual report for 2014. South Highlands filed the Utility's 2014 annual report on April 30, 2015.

<sup>1</sup> Order No. PSC-14-0296-PAA-SU, issued June 10, 2014, in Docket No. 110165-SU, In re: Application for staff-assisted rate case in Highlands County by Utility Corporation of Florida, Inc.

We have jurisdiction pursuant to Section 367.071, F.S. Based on the above, we find that the application is in compliance with Section 367.071(4)(a), F.S., and Rule 25-30.037(4), F.A.C. We acknowledge the transfer of the wastewater system to SLID as a matter of right, pursuant to Section 367.071(4)(a), F.S., and shall cancel Certificate No. 550-S effective March 11, 2015.

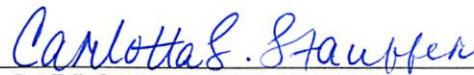
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amended application for transfer of the wastewater system of Utility Corporation of Florida, Inc. to Spring Lake Improvement District is hereby acknowledged. It is further

ORDERED that Certificate No. 550-S is hereby cancelled, effective March 11, 2015. It is further

ORDERED that no further action is necessary, and this docket shall be closed.

By ORDER of the Florida Public Service Commission this 15th day of June, 2015.



CARLOTTA S. STAUFFER  
Commission Clerk  
Florida Public Service Commission  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.