

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of water facilities to City of Lake Wales in Polk County, and cancellation of Certificate No. 583-W, by Park Water Company.

DOCKET NO. 20210053-WU
ORDER NO. PSC-2021-0143-FOF-WU
ISSUED: April 21, 2021

ORDER ACKNOWLEDGING TRANSFER OF WATER FACILITIES
AND CANCELING CERTIFICATE NO. 583-W

BY THE COMMISSION:

Park Water Company (Park or Utility) is a Class B water utility providing service to approximately 783 residential and 36 general service customers in Polk County. On March 8, 2021, Park filed an application for transfer of its water facilities to the City of Lake Wales, and cancellation of Certificate No. 583-W. The application included an Asset Purchase Agreement which was executed on February 18, 2021. 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.

Furthermore, pursuant to Section 367.071(4)(a), F.S., and Rule 25-30.038(2)(d), Florida Administrative Code (F.A.C.), the Utility provided a copy of the document transferring the Utility's water facilities. In accordance with Rule 25-30.038(2)(t), F.A.C., the Utility stated that all customer deposits have been transferred to the City of Lake Wales. Park has paid its regulatory assessment fees through the date of the sale. A copy of the Utility's most recent available annual report was provided to the City of Lake Wales.

We have jurisdiction pursuant to Section 367.071, F.S.

Based on the above, we find that the application is in compliance with Sections 367.022(2) and 367.071, F.S., and Rule 25-30.038, F.A.C. We therefore acknowledge the transfer of Park's water system to the City of Lake Wales as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate No. 583-W effective February 18, 2021.


Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Park Water Company for transfer of water facilities as set forth herein to the City of Lake Wales is hereby acknowledged, effective February 18, 2021. It is further

ORDERED that Certificate No. 583-W is hereby canceled, effective February 18, 2021. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 21st day of April, 2021.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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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.

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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.