

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Grand Lagoon) DOCKET NO. 890444-WS
Utilities, Inc. for transfer of)
facilities to the City of Panama City) ORDER NO. 21293-A
Beach and cancellation of Certificates)
Nos. 174-W and 123-S in Bay County.) ISSUED: 6-5-89

AMENDATORY ORDER

BY THE COMMISSION:

On May 26, 1989, this Commission issued Order No. 21293 acknowledging the sale of Grand Lagoon Utilities, Inc. to the City of Panama City Beach. That Order also mistakenly cancelled Certificates Nos. 174-W and 123-S and closed Docket No. 890444-WS. The conditions of closing contained in the Contract for Sale or Purchase, executed by both parties, indicated that the closing date would be prior to May 1, 1989, or ". . . If the bonds issued by Purchaser to finance the purchase of the Assets are validated, the date of Closing shall be extended until five (5) days after completion of such validation" We are informed that the conditions have not been met, and the closing of the sale is not due to occur until August 1, 1989. Therefore, the certificates should not have been cancelled nor should the docket have been closed.

The statement in Order No. 21293 indicating that all regulatory assessment fees have been paid must also be amended. Since the sale will not be finalized until August 1, 1989, regulatory assessment fees are due from Grand Lagoon for the period from January 1, 1989 until closing of the sale to the City of Panama City Beach.

It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. 21293 is amended to reflect that Certificates Nos. 174-W and 123-S are not cancelled and shall remain active until such time as the sale of Grand Lagoon Utilities, Inc. to the City of Panama City Beach is finalized. It is further

ORDERED that Grand Lagoon shall pay regulatory assessment fees for the period from January 1, 1989 until closing of the sale to the City of Panama City Beach. It is further

ORDERED that Docket No. 890444-WS shall remain open until the sale of Grand Lagoon Utilities, Inc. to the City of Panama City has been finalized. It is further

ORDERED that Order No. 21293 is affirmed in all other respects.

By ORDER of the Florida Public Service Commission,
this 5th day of June, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay J. [Signature] DOCUMENT NUMBER-DATE
Chief, Bureau of Records 05584 JUN -5 1989

FPSC-RECORDS/REPORTING