

St. Johns County Board of County Commissioners



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April 29, 1997

ORIGINAL
FILE COPY

Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 33201

Dear Sirs:

In follow up to my letter of April 23, 1997, I have enclosed a signed copy of the Order of Transfer (Order Number 97-00003) approving of the Joint Application for the transfer of Certificates by Sunray Utilities - St. Johns Inc., to United Water Florida, Inc.

If I can be of any further assistance, please do not hesitate to contact my office.

Very truly yours,

Jonathan A. Mantay, Executive Director
St. Johns County Water & Sewer Authority

97 MAY 5 10 00 AM '97

- ACK _____
- AFA _____ JAM/lt
- APP _____
- CAF _____ Enclosure
- CMU _____
- CTR _____
- EAG _____
- LEG 1
- LIN _____
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- RCH _____
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- OTH _____

DOCUMENT NUMBER-DATE
04422 MAY-56
FPSC-RECORDS/REPORTING

Jon Martay

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

DOCKET NO. 97-0018-0006-0002
ORDER NO. 97-00003

IN THE MATTER OF:
JOINT APPLICATION FOR TRANSFER OF CERTIFICATES BY SUNRAY
UTILITIES - ST. JOHNS, INC., UNITED WATERWORKS INC., AND
UNITED WATER FLORIDA INC.

**ORDER OF CONFIRMATION
APPROVING TRANSFER**

This matter came on for consideration before the St. Johns
County Board of County Commissioners to review a Preliminary Order
of the St. Johns County Utility Authority in the above captioned
matter. Upon consideration, it is found that the Preliminary Order
should be confirmed, and accordingly, it is:

ORDERED as follows:

Preliminary Order 97-00001, a copy of which is attached
hereto, is hereby confirmed, ratified and approved. In accordance
therewith, Franchise Certificate Nos. 7 and 8 shall be transferred
to United Water Florida Inc.

ORDERED at St. Johns County, Florida, this 22 day of
April, 1997.

ST. JOHNS COUNTY BOARD
OF COUNTY COMMISSIONERS

By: *[Signature]*
Its Chair

I hereby certify that a conformed copy hereof has been
furnished by mail to the following on the 29 day of
April, 1997.

Martin, Ade, Birchfield & Mickler, P.A.
c/o Scott G. Schildberg
One Independent Drive
Jacksonville, Florida 32202

Richard G. Hathaway, Esquire
7077 Bonneval Road, Suite 200
Jacksonville, Florida 32216

[Signature]
Deputy Clerk

DOCUMENT NUMBER-DATE
04422 MAY-56
FPSC-RECORDS/REPORTING

BEFORE THE ST. JOHNS COUNTY UTILITY AUTHORITY

DOCKET NO. 97-0018-0006-0001
ORDER NO. 97-00001

IN THE MATTER OF:

JOINT APPLICATION FOR TRANSFER OF CERTIFICATES BY SUNRAY
UTILITIES - ST. JOHNS, INC., UNITED WATERWORKS INC., AND
UNITED WATER FLORIDA INC.

PRELIMINARY ORDER APPROVING TRANSFER

The St. Johns County Utility Authority (the "Authority") at its meeting of April 2, 1997, considered two Joint Applications for Transfer of Franchise Certificates and Utility Facilities submitted by Sunray Utilities-St. Johns, Inc., United Waterworks Inc. and United Water Florida Inc. The Authority finds as follows:

- A. Sunray Utilities-St. Johns, Inc., is the holder of Franchise Certificates Nos. 7 and 8 for water and wastewater service granted by St. Johns County.
- B. The Applicants have not requested an acquisition adjustment or a determination of rate base.
- C. The Applications were filed on February 18, 1997, and are in compliance with the Supplemental Rules to the St. Johns County Water and Sewer Utilities Regulatory Ordinance and Sections 4 and 7 of the St. Johns County Water and Sewer Utilities Regulatory Ordinance.
- D. The proposed sale and transfer of Franchise Certificate Nos. 7 and 8 and System facilities from Sunray Utilities-St. Johns, Inc., to United Waterworks Inc., and from United Waterworks Inc. to United Water Florida Inc. is in the public interest.
- E. United Water Florida Inc. will fulfill the commitments, obligations, and representations of Sunray Utilities-St. Johns, Inc.
- F. The residents and members of the Cimarrone Property Owners Association, Inc., receive service from Sunray Utilities - St. Johns, Inc., through a master meter. The master meter service was approved by the Florida Public Service Commission by an Order issued in 1991. Since a sewer cap is not included in the tariff for master meter service, the users behind the master meter are paying a much higher rate than they would if there were individual meter service.
- G. The residents of Cimarrone expressed their dissatisfaction with the cost of utility service currently resulting from the master meter service.

H. The representatives of United Water Florida Inc. stated at the hearing that it is their intention to convert the master meter to an individual meter system provided they are successful in obtaining the necessary regulatory approvals.

I. In anticipation that the Florida Public Service Commission will assume regulatory jurisdiction over United Water Florida Inc. concurrently with the expansion of service area to include the service area of Sunray Utilities - St. Johns, Inc., the Authority strongly recommends to the Commission that they consider, at the time of approval of the transfer or soon thereafter, the concerns of the residents and the need for conversion of the system from a master meter to individual meters.

In consideration of the above, it is ORDERED as follows:

1. Franchise Certificates Nos. 7 and 8 for water and wastewater service and utility facilities shall be transferred from Sunray Utilities-St. Johns, Inc. to United Waterworks Inc., and from United Waterworks Inc. to United Water Florida Inc. for the territory authorized to be served under Franchise Certificates 7 and 8.

2. The Franchise Certificates (water and wastewater) shall vest in United Water Florida Inc. only those privileges required to be granted to a utility under Section 367.171(4) of the Florida Statutes. No rights, privileges, or franchise shall be deemed vested in the United Water Florida Inc. by this Order or the transfer of the Franchise Certificates other than those privileges expressly required to be granted by Section 367.171(4) of the Florida Statutes.

3. The rates and charges for water and wastewater service shall remain in effect in accordance with the previously approved tariff for Sunray-St. Johns, Inc., until lawfully changed.

4. This Order shall not take effect unless and until it is confirmed by the Board of County Commissioners.

5. Upon confirmation of this Order by the Board of County Commissioners, a copy hereof together with a copy of the minutes of the hearing of April 2, 1997, shall be provided to the Florida Public Service Commission.

Ordered at St. Johns County, Florida, this 2 day of April, 1997.

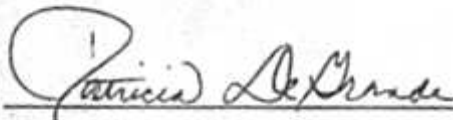
ST. JOHNS COUNTY UTILITY
AUTHORITY

By: William J. Flick
Its Chairman, William Flick

I hereby certify that a conformed copy hereof has been furnished by mail to the following on the 21 day of April, 1997.

Martin, Ade, Birchfield & Mickler, P.A.
c/o Scott G. Schildberg
One Independent Drive
Suite 3000
Jacksonville, Florida 32202

Richard G. Hathaway, Esquire
7077 Bonneval Road, Suite 200
Jacksonville, Florida 32216

A handwritten signature in cursive script, reading "Patricia DeGrande", is written over a horizontal line.

Deputy Clerk