

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of Water facilities to the City of Zephyrhills, and cancellation of Certificate No. 227-W, by Kemple Water Company.

DOCKET NO. 140062-WU
ORDER NO. PSC-14-0360-FOF-WU
ISSUED: July 11, 2014

ORDER ACKNOWLEDGING TRANSFER TO GOVERNMENT AUTHORITY AND
CANCELLING WATER CERTIFICATE NO. 227-W

BY THE COMMISSION:

Kemple Water Company (Kemple or Utility) is a class C water utility providing service to approximately 135 customers in Pasco County. A completed application for transfer of its water facilities to the City of Zephyrhills, Florida (Zephyrhills) was filed on March 31, 2014. 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 application included an Agreement for Purchase and Sale of Water Assets between Kemple and the City of Zephyrhills, which closed April 24, 2014. Pursuant to Section 367.071(4)(a), F.S., and Rule 25-30.037(4)(e), Florida Administrative Code (F.A.C.), the Utility included a statement that the City of Zephyrhills obtained the most recent income statements, the most recent balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction. In accordance with Rule 25-30.037(4)(g), F.A.C., the Utility specified that it applied deposits to any customer account with a past due balance. For the remaining deposits, Kemple applied interest to the customers' accounts and the remaining balances have been refunded with accrued interest to the customers. On March 10, 2014, Kemple filed its 2013 Annual Report pursuant to Rule 25-30.110, F.A.C. Kemple is responsible for and has paid in full, regulatory assessment fees accrued from January 1, 2014, through the date of closing. Because the Utility will no longer be under our jurisdiction as of December 31, 2014, an Annual Report for 2014 will not be required.

Based on the above and our jurisdiction pursuant to Section 367.071, F.S., we find that the application is in compliance with Sections 367.071 and 367.022(2), F.S., and Rule 25-30.037(4), F.A.C. Effective April 29, 2014, the transfer of the water system from Kemple to Zephyrhills is acknowledged as a matter of right, pursuant to Section 367.071(4)(a), F.S., and Certificate No. 227-W is cancelled.

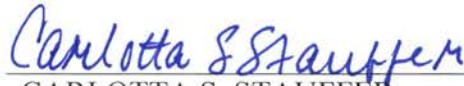
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Kemple Water Company for transfer of water facilities as set forth herein to the City of Zephyrhills is hereby acknowledged, effective April 29, 2014. It is further

ORDERED that Certificate No. 227-W is hereby cancelled. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 11th day of July, 2014.



CARLOTTA S. STAUFFER
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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.