

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of water facilities to the City of Tavares in Lake County, and cancellation of Certificate No. 644-W, by TLP Water, Inc.

DOCKET NO. 160130-WU
ORDER NO. PSC-16-0584-FOF-WU
ISSUED: December 29, 2016

ORDER ACKNOWLEDGING TRANSFER TO GOVERNMENTAL AUTHORITY AND
CANCELLING WATER CERTIFICATE

BY THE COMMISSION:

TLP Water, Inc. (TLP or Utility) is a Class C water utility providing service to approximately 53 customers in Lake County. On May 24, 2016, this Commission received an Application For Transfer To A Governmental Authority from TLP stating the City of Tavares had assumed the operation, management, and control of the distribution of water to TLP's customers on May 15, 2016. We note that no facilities have been transferred to the City of Tavares. On September 30, 2016, Commission staff received a copy of the City of Tavares' resolution confirming the transfer of customers. We have jurisdiction pursuant to Section 367.071, Florida Statutes (F.S.).

Pursuant to Section 367.071(4)(a), F.S., and Rule 25-30.038(2), Florida Administrative Code (F.A.C.), the Utility provided copies of the document transferring the Utility's customers and its Annual Report. In accordance with Rule 25-30.038(2)(f), F.A.C., the Utility stated it held no customer deposits. TLP paid its outstanding regulatory assessment fees of \$1,743.57 on February 24, 2016. The Utility filed its 2015 Annual Report on March 29, 2016. We note that past Commission practice indicates that a transfer of customers from a regulated utility to a governmental entity shall be approved as a matter of right in accordance with the provisions of Section 367.071, F.S.¹

Based on the above, we find that the application is in compliance with Sections 367.071 and 367.022(2), F.S., and Rule 25-30.038, F.A.C. We therefore acknowledge the transfer of TLP's customers to the City of Tavares as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate No. 644-W effective May 15, 2016.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of TLP Water, Inc. for transfer of customers set forth herein to the City of Tavares is hereby acknowledged, effective May 15, 2016. It is further

¹ Order No. PSC-92-0422-FOF-SU, issued on May 28, 1992, in Docket No. 910508-SU, In re: Application for transfer of Certificate No. 380-S from Naples Mobile Estates, Inc. to Yad Vkidush Hashem/House of Martyrs, Inc. in Collier County, Florida.

ORDERED that Certificate No. 644-W is hereby cancelled. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 29th day of December, 2016.



HONG WANG
Chief Deputy Commission Clerk
Florida Public Service Commission
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Tallahassee, Florida 32399
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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.