

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: January 12, 2021

TO: Stefanie-Jo Osborn, Attorney, Office of the General Counsel
Jennifer S. Crawford, Attorney Supervisor, Office of the General Counsel

FROM: Clayton K. Lewis, US Engineering Specialist, Division of Engineering *CL*
Marissa Ramos, Public Utilities Supervisor, Division of Engineering *MR LK*

RE: Docket 20200254-WU - Application for expedited transfer of water facilities to Gulf County, and cancellation of Certificate No. 491-W, by Lighthouse Utilities Company, Inc.

Lighthouse Utilities Company, Inc. (Lighthouse or Utility) is a Class B water utility providing service to approximately 1,900 residential water customers in Gulf County. On December 8, 2020, Lighthouse filed an application for transfer of its water facilities to Gulf County, and cancellation of Certificate No. 491-W. The application included an Asset Purchase Agreement between Lighthouse and Gulf County which was finalized on November 24, 2020. 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)(f) and (g), F.A.C., the Utility stated that customer deposits were not collected, and its regulatory assessment fees will be paid when due. Additionally, the Utility provided a copy of its 2019 Annual Report to Gulf County.

The Commission has jurisdiction pursuant to Section 367.071, F.S. Also, pursuant to Section 2.07(C)(4)d. of the Administrative Procedures Manual, staff has been given administrative authority to approve transfers to governmental entities that are in compliance with Section 367.071(4)(a), F.S. and are not controversial in nature.

Based on the above, staff believes that the application is in compliance with Sections 367.022(2) and 367.071, F.S., and Rule 25-30.038, F.A.C. Staff recommends that the Commission acknowledge the transfer of the water system to Gulf County as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate No. 491-W effective November 24, 2020. In addition, staff recommends that the docket be closed because no further action is necessary.

cc: Office of Commission Clerk (Docket No. 20200254-WU)