

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: June 1, 2021

TO: Bianca Lherisson, Senior 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 LK*
Marissa Ramos, Public Utilities Supervisor, Division of Engineering *MR*

RE: Docket 20210099–WS - Application for transfer of water and wastewater facilities to Marion County Utilities, and cancellation of Certificate Nos. 347-W and 336-S, by Marion Utilities, Inc.

Marion Utilities, Inc. (MUI) is a Class A utility providing service to approximately 6,627 water and 111 wastewater residential customers in Marion County. On May 14, 2021, MUI filed an application for transfer of its water and wastewater facilities to Marion County Utilities and cancellation of Certificate Nos. 347-W and 336-S. The application included a Purchase Agreement which was executed on January 5, 2021. 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 MUI provided a copy of the document transferring its water and wastewater facilities. In accordance with Rule 25-30.038(2)(f) and (g), F.A.C., MUI stated that all customer deposits will be transferred to Marion County Utilities at closing. MUI has paid its regulatory assessment fees through the date of the sale. A copy of the Utility's most recent annual report was provided to Marion County Utilities.

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 and wastewater systems to Marion County Utilities as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate Nos. 347-W and 336-S effective January 5, 2021. In addition, staff recommends that the docket be closed because no further action is necessary.

CL/jp

cc: Office of Commission Clerk (Docket No. 20210099-WS)