

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: September 21, 2021

TO: Ryan Sandy, Senior Attorney, Office of the General Counsel
Jennifer S. Crawford, Attorney Supervisor, Office of the General Counsel

FROM: Kaitlyn Daramola, Engineering Specialist I, Division of Engineering *KD*
Marissa Ramos, Public Utilities Supervisor, Division of Engineering *MR* *LK*

RE: Docket No. 20210152-WU – Application for transfer of water facility to the City of Ocala, and cancellation of Certificate No. 640-W, by GCP Fairfield Village, LLC

GCP Fairfield Village, LLC (GCP or Utility) is a Class C utility providing service to approximately 277 residential water customers in Marion County. On September 1, 2021, GCP filed an application for transfer of its water facility to the City of Ocala (City) and cancellation of Certificate No. 640-W. The application included a Purchase Agreement which was executed on July 20, 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.), GCP provided a copy of the document transferring its water facility. As reflected in the document transferring the water facility to the City, the City has agreed to pay the Utility's regulatory assessment fees through the date of the sale. In accordance with Rule 25-30.038(2)(f) and (g), F.A.C., GCP stated that all customer deposits will be transferred to the City at closing. A copy of the Utility's most recent annual report was provided to the City.

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 facility to the City as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate No. 640-W effective July 20, 2021. In addition, staff recommends that the docket be closed because no further action is necessary.

cc: Office of Commission Clerk (Docket No. 20210152-WU)