

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request of Atlantic Utilities of) DOCKET NO. 890398-WS
Jacksonville, Inc. for acknowledgement of)
sale of Oak Harbor water and sewer) ORDER NO. 21391
facilities to City of Atlantic Beach and)
amendment of Certificates Nos. 182-W and) ISSUED: 6-16-89
129-S in Duval County to delete that)
system.)
_____)

ORDER ACKNOWLEDGING SALE, AMENDING CERTIFICATES
AND CLOSING DOCKET

BY THE COMMISSION:

On March 17, 1989, this Commission received an application from Atlantic Utilities of Jacksonville, Inc. (Atlantic) requesting acknowledgment of the transfer of its Oak Harbor System to the City of Atlantic Beach. Heretofore, Oak Harbor has provided water service to certain territory in Duval County, Florida, under the jurisdiction of the Florida Public Service Commission.

On February 28, 1989, the City of Atlantic Beach acquired Oak Harbor. The Agreement for Purchase and Sale reflects a purchase price of \$900,000. In accordance with the contract, all existing customer deposits were transferred to the City on the closing date.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sales or transfers of water and sewer utilities to governmental agencies, although such sales or transfers are approved as a matter of right. Subsection 367.022(2), Florida Statutes, exempts from regulation by the Commission systems owned, operated, managed, or controlled by governmental agencies.

In its application, Atlantic referred to Order No. 20063; issued September 26, 1988, which ordered Atlantic to make certain refunds of sewer revenues, which refunds were applicable, in part, to its Oak Harbor sewer system customers. Atlantic stated that the refunds to the customers of the Oak Harbor system have been completed. Although we are in the process of verifying that the refunds have been made, it is not necessary to delay the transfer of the Oak Harbor system to the City of Atlantic Beach.

On the basis of the foregoing, we find it appropriate to acknowledge the transfer of the Oak Harbor system from Atlantic Utilities of Jacksonville, Inc. to the City of Atlantic Beach and amend Certificates Nos. 182-W and 129-S, held by Atlantic, by deleting the territory served by Oak Harbor. The territory being deleted is described in Appendix A of this Order.

It is therefore,

ORDERED by the Florida Public Service Commission that the transfer of Oak Harbor from Atlantic Utilities of Jacksonville, Inc., Box 7267, Jacksonville, Florida 32210, to the City of Atlantic Beach, City Hall, Atlantic Beach, Florida 32233, is hereby acknowledged. It is further

ORDERED that Certificates Nos. 182-W and 129-S are hereby amended to reflect that the territory served by Oak Harbor,

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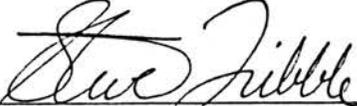
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described in Appendix A of this order, has been deleted. Atlantic shall submit Certificates Nos. 182-W and 129-S to this Commission within 20 days of the date of this Order for appropriate entry. It is further

ORDERED that Atlantic shall submit revised tariff sheets within 30 days of the date of this Order, reflecting the deletion of the territory described in Appendix A of this Order. It is further

ORDERED that Docket No. 890398-WS is hereby closed.

By ORDER of the Florida Public Service Commission
this 16th day of JUNE, 1989.



STEVE TRIBBLE, Director
Division of Records and Reporting

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APPENDIX A

In Sections 6 and 37, Township 2 South, Range 29 East.

That portion in Sections 6 and 37, platted as Oak Harbor in Plat Book 31, Page 10; Oak Harbor Unit #1 in Plat Book 31, Page 58 and Oak Harbor Unit #2 in Plat Book 31, Page 74; adjacent to U.S. Rte. A-1-A, and approximately 2.5 miles South of Mayport.