

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgement) DOCKET NO. 900368-WS
of sale of Duval Utility Company to)
City of Jacksonville and cancellation) ORDER NO. 23398
of Certificates Nos. 299-W and 296-S)
in Duval County.) ISSUED: 8-23-90
_____)

ORDER ACKNOWLEDGING SALE, DELETING TERRITORY
FROM UTILITY'S CERTIFICATES AND CLOSING DOCKET

BY THE COMMISSION:

Duval Utility Company (Duval Utility or Utility) has heretofore operated its water and sewer systems under the jurisdiction of the Florida Public Service Commission, providing service to certain territory in Duval County, Florida.

Duval Utility serves territory in Duval and Clay County. On March 9, 1989, the City of Jacksonville acquired that portion of Duval Utility located in Duval County. Customer deposits, held by Duval Utility, were transferred to the City of Jacksonville on the closing date. Commission requirements regarding regulatory assessment fees have been met, and there are no dockets pending involving this system.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sales of water and/or sewer utilities to governmental agencies, although such sales 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.

Therefore, Duval Utility's certificates shall be amended to delete the territory transferred to the City of Jacksonville. The Utility shall be authorized to provide service only to the territory in Clay County, as set forth in Attachment A of this Order. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Duval Utility Company, 1300 Gulf Life Drive, 6th Floor, 1300 Gulf Life Drive, Jacksonville, Florida 32207-9018, to the City of Jacksonville is hereby acknowledged. It is further

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ORDERED that Certificates Nos. 299-W and 296-S are hereby amended to authorize Duval Utility to serve only the territory described in Attachment A of this Order. The Utility is directed to return the Certificates to this Commission for appropriate entry within 20 days from the date of this Order. It is further

ORDERED that Docket No. 900368-WS is hereby closed.

By ORDER of the Florida Public Service Commission,
this 23rd day of AUGUST, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 Director, Division of Records and Reporting 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

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in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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.

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ATTACHMENT A

DESCRIPTION OF TERRITORY SERVED

(McRae Landing Water System)

A part of Section 5 and a part of the Andrew Brennan Grant, Section 37, all in Township 5 South, Range 25 East, Clay County, Florida, more particularly described as follows:

Begin at the Northeast corner of said Section 37; thence South 00°35'30" West along the Easterly line of said Section 37, 1123.00 feet more or less to the waters of Black Creek; thence Southwesterly along said waters, 1240 feet more or less; thence North 61°14'00" West, 155 feet more or less; thence North 83°04'45" West, 319.73 feet to an iron pipe Southwesterly, Westerly, Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along said edge of Cypress and Gum Swamp, 5750 feet more or less to an iron pipe; thence North 00°28'12" East, 617.70 feet to the Northerly line of said Section 37; thence South 89°31'48" East along said Northerly line, 1320.00 feet to the Point of Beginning.