

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for acknowledgement of )	DOCKET NO. 900906-WU
corporate reorganization and cancellation )	ORDER NO. 24139
of Certificate No. 383-W in Lake County, )	ISSUED: 2/20/91
by UTILITIES, INC. OF FLORIDA and LAKE )	
UTILITY SERVICES, INC. )	
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 BETTY EASLEY  
 FRANK S. MESSERSMITH  
 MICHAEL MCK. WILSON

ORDER ACKNOWLEDGING CORPORATE REORGANIZATION

BY THE COMMISSION:

Utilities Inc. of Florida (UIF) is a Class B utility that owns and operates a number of water and wastewater utilities in various counties in Florida. UIF is a wholly owned subsidiary of Utilities, Inc., a Delaware corporation. In Lake County, UIF provides water service via separate systems to the Clermont, Amber Hill, Highland Point, the Oranges, Lake Ridge, Vistas, and Crescent West subdivisions, under the authority of Certificate No. 383-W. According to its 1989 financial statement, UIF realized gross annual revenues of \$1,038,674 and a net operating income of \$116,700.

Lake Utility Services, Inc. (LUSI) is a Class C utility that provides water service to the Crescent Bay subdivision in Lake County under the authority of Certificate No. 496-W. This subdivision is located several hundred feet from UIF's Crescent West system. According to its 1988 financial statement, LUSI realized gross annual revenues of \$846 and a operating income of \$683. LUSI is also a wholly owned subsidiary of Utilities, Inc.

On November 6, 1990, UIF and LUSI filed a petition requesting that the Commission acknowledge the corporate reorganization of their operations in Lake County, Florida. According to their petition, UIF and LUSI plan to combine their operations such that all of the LUSI and UIF water systems in Lake County will be owned and operated by LUSI. The combined operation is expected to increase efficiency and simplify the administration of the Lake County systems. However, the reorganization will not affect either

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the rates and charges, or the management, operations or customer service provided by the utilities.


Since the officers and directors of UIF are identical to the officers and directors of LUSI, and since Utilities, Inc. will continue to control UIF, the corporate reorganization does not appear to rise to the level of a Section 367.071, Florida Statutes, transfer, and is, therefore, not subject to the approval of this Commission. It is, however, hereby acknowledged. UIF shall, therefore, return both Certificates Nos. 383-W and 496-W to this Commission, within thirty days, so that we may amend Certificate No. 496-W to include the areas formerly authorized under Certificate No. 383-W and cancel Certificate No. 383-W.

It is, therefore,

ORDERED by the Florida Public Service Commission that Utilities Inc. of Florida and Lake Utility Services, Inc. shall return Certificates Nos. 383-W and 496-W to this Commission, within thirty (30) days, so that we may amend Certificate No. 496-W to include the areas formerly authorized under Certificate No. 383-W, and cancel Certificate No. 383-W. It is further

ORDERED that Docket No. 900906-WU be and is hereby closed.

By ORDER of the Florida Public Service Commission this 20th day of FEBRUARY, 1991.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

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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 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.