

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval of)
sale of Canal Utilities, Inc. to City)
of Jacksonville and cancellation of)
Certificates Nos. 192-W and 138-S in)
Duval County.)
_____)

DOCKET NO. 910034-WS
ORDER NO. 24209
ISSUED: 3/8/91

ORDER ACKNOWLEDGING SALE OF CANAL UTILITIES, INC.
TO THE CITY OF JACKSONVILLE

BY THE COMMISSION:

On January 9, 1991, the City of Jacksonville (City) filed an application with this Commission for acknowledgment of its purchase of Canal Utilities, Inc. (Canal) in Duval County, Florida. The sale occurred on December 11, 1990.

There were no customer deposits at the time of closing. There are no dockets open regarding Canal. However, Canal has not filed its 1990 Annual Report nor has it paid the regulatory assessment fees for 1990.

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.

On the basis of the foregoing, we have determined that it is appropriate to acknowledge the sale of Canal to the City. However, since Canal has not filed its 1990 Annual Report and thus has not paid its 1990 regulatory assessment fees, we will not cancel Certificates Nos. 192-W and 138-S. Further, Docket No. 910034-WS shall remain open until Canal has filed its Annual Report and paid the appropriate regulatory assessment fees. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Canal Utilities, Inc., 1300 Gulf Life Drive, Suite 600, Jacksonville, Florida 32207, to the City of Jacksonville, City Hall, 220 East Bay Street, Jacksonville, Florida 32202, is hereby acknowledged. It is further

ORDERED that Certificates Nos. 192-W and 138-S shall remain active until Canal Utilities, Inc. files its 1990 Annual Report and pays the regulatory assessment fees for 1990. It is further

ORDERED that Docket No. 910034-WS shall remain open until the 1990 Annual Report is received and the appropriate 1990 regulatory assessment fees have been paid.

DOCUMENT NUMBER-DATE

02354 MAR -8 1991

RSC-RECORDS/REPORTING

ORDER NO. 24209
DOCKET NO. 910034-WS
Page 2

By ORDER of the Florida Public Service Commission, this 8th
day of MARCH, 1991.



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 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.