

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950622-SU
sale of facilities of Vineyards) ORDER NO. PSC-95-1131-FOF-SU
Utility, Inc. to Collier County) ISSUED: September 8, 1995
Utilities and cancellation of)
Certificate No. 424-S in Collier)
County.)
_____)

ORDER ACKNOWLEDGING TRANSFER, CANCELLING CERTIFICATE
AND CLOSING DOCKET

BY THE COMMISSION:

On June 6, 1995, Vineyards Utility, Inc. (Vineyards or Utility) filed an application with this Commission for acknowledgment of the transfer of its wastewater facilities to Collier County Utilities, in Collier County, Florida. The transfer occurred on June 6, 1993.

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

Rule 25-30.037(4) (g), Florida Administrative Code, requires a utility to submit a statement regarding disposition of customer deposits. All customer deposits, held by Vineyards, were returned to customers as of December 31, 1993. Commission requirements regarding regulatory assessment fees have been met, and there are no dockets pending involving this system.

Pursuant to Rule 25-30.037(4) (e), Florida Administrative Code, Vineyards provided a statement that Collier County has obtained all of the financial statements and records from the utility, including the most recent available income and expense statement, balance sheet, statement of rate base for regulatory purposes and contributions-in-aid-of-construction.

On the basis of the foregoing, we find it appropriate to acknowledge the transfer of Vineyards Utility, Inc. to Collier County Utilities and to cancel Certificate No. 424-S. It is noted that the utility has returned Certificate No. 424-S for cancellation. It is, therefore,

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ORDERED by the Florida Public Service Commission that the transfer of Vineyards Utilities, Inc. to Collier County Utilities is hereby acknowledged. It is further

ORDERED that Certificate No. 424-S is hereby cancelled. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 8th day of September, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater 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.