

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of water and wastewater facilities to Marion County and for cancellation of Certificates 447-W and 378-S held by Decca Utilities, a Division of Decca.

DOCKET NO. 010201-WS  
ORDER NO. PSC-01-0656-FOF-WS  
ISSUED: March 16, 2001

ORDER APPROVING TRANSFER, CANCELING CERTIFICATES  
NOS. 447-W AND 378-S, HELD BY DECCA UTILITIES,  
A DIVISION OF DECCA, AND CLOSING DOCKET

BY THE COMMISSION:

Decca Utilities, a Division of Decca (Decca or utility) is a Class A water and wastewater utility providing service to the Oak Run subdivision in Marion County, Florida. According to Decca's 1999 annual report, the utility provides service to approximately 3,100 residential and general service customers. The utility reported total combined operating revenues of \$1,838,553 with a combined net operating income of \$419,109. The utility was granted Certificates 447-W and 378-S by Order No. 14701, issued August 9, 1985, in Docket No. 850255-WS.

On February 9, 2001, an application was filed on behalf of Decca to transfer its facilities to Marion County (County) and to cancel Certificates 447-W and 378-S. The application, as filed, is in compliance with Section 367.071(4)(a), Florida Statutes, and Rule 25-30.037(4), Florida Administrative Code. A copy of the Asset Purchase & Sale Agreement executed by and between Marion County and Decca for a purchase price of \$11,915,000 was provided with the application. The closing occurred on February 2, 2001.

A statement was provided with the application confirming that the County had obtained the most recently available income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction as applicable to the purchased assets. The utility held no customer deposits and has no pending dockets before this Commission.

DOCUMENT NUMBER-DATE

03368 MAR 16 2001

FPSO-RECORDS/REPORTING

The application provided a statement that all regulatory assessment fees (RAFs) for Decca had been paid in full and that RAFs for 2000, and for 2001 up through February 2, 2001, will be paid by Decca in the manner and time frame required by Commission rules. The application further states that there are no fines or refunds owed. We have confirmed that the utility is current on annual reports and RAFs through 1999 and has no outstanding fees, fines or refunds. Pursuant to Rule 25-30.110(3), Florida Administrative Code, the utility is required to file annual reports for the year 2000, but not for 2001, since the closing occurred prior to December 31, 2001.

Based on the foregoing and pursuant to Section 367.071(4)(a), Florida Statutes, and Rule 25-30.037(4), Florida Administrative Code, we find it appropriate to approve as a matter of right the transfer of facilities from Decca to the County, and to cancel Certificates Nos. 447-W and 378-S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the transfer of facilities located in Marion County from Decca Utilities, a Division of Decca, 11637 SW 90th Terrace, Ocala, Florida 34481-3563 to Marion County, County Administrator, 601 S.E. 25th Avenue, Ocala, Florida 34471-2690 is hereby approved. It is further

ORDERED that Certificates Nos. 447-W and 378-S, held by Decca Utilities, a Division of Decca, are hereby canceled. It is further

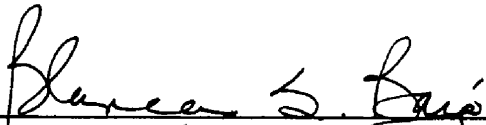
ORDERED that Decca Utilities, a Division of Decca, remains responsible for payment of regulatory assessment fees for the year 2000 and up to the time of closing, February 2, 2001, in the manner and within the time frame required by Rule 25-30.120, Florida Administrative Code. It is further

ORDERED that Decca Utilities, a Division of Decca, remains responsible for the filing of annual reports for the year 2000 in the manner and within the time frame required by Rule 25-30.110(3), Florida Administrative Code. It is further

ORDER NO. PSC-01-0656-FOF-WS  
DOCKET NO. 010201-WS  
PAGE 3

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 16th  
day of March, 2001.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

LAE

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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

ORDER NO. PSC-01-0656-FOF-WS  
DOCKET NO. 010201-WS  
PAGE 4

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.