

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint application for transfer of water and wastewater facilities in Nassau, Duval, and St. Johns Counties from United Water Florida, Inc. to JEA, and cancellation of Certificates Nos. 236-W and 179-S.

DOCKET NO. 020055-WS
ORDER NO. PSC-02-0280-FOF-WS
ISSUED: March 4, 2002

ORDER APPROVING TRANSFER, CANCELLING
CERTIFICATES, AND CLOSING DOCKET

BY THE COMMISSION:

On January 17, 2002, United Water Florida, Inc. (UWF or utility) and Jacksonville Electric Authority (JEA) filed a joint application for approval of the transfer of UWF's facilities to JEA. UWF is a Class A water and wastewater utility which serves approximately 32,256 water and 25,096 wastewater customers in Duval, Nassau, and St. Johns Counties. JEA is a governmental authority exempt from Commission regulation, pursuant to Section 367.022(2), Florida Statutes. The transfer occurred on December 28, 2001.

The application included a copy of the "Agreement of Purchase and Sale of Water and Wastewater Assets" (Agreement). According to the Agreement, the purchase price of the system was \$219,000,000, subject to the terms, adjustments, and prorations described in the contract at closing.

A statement was provided with the application that JEA obtained the utility's most recent income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction. The application indicated that JEA will assume the liabilities and obligations of the developer agreements. There were no customer deposits and no pending dockets before this Commission at the time of closing. Further, UWF has no outstanding fines or refunds.

UWF is current with respect to its regulatory assessment fees and annual reports. The regulatory assessment fees for 2001 will be paid by UWF when due in March, 2002. Pursuant to Rule 25-30.110(3), Florida Administrative Code, because the closing

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occurred prior to December 31, 2001, UWF is not required to file an annual report for 2001.

Pursuant to Section 367.071(4)(a), Florida Statutes, the transfer of facilities, in whole or part, to a governmental authority shall be approved as a matter of right. Therefore, we find it appropriate to acknowledge the transfer of UWF to JEA and to cancel Certificates Nos. 236-W and 179-S, effective as of the date of transfer, December 28, 2001.

It is, therefore,

ORDERED by the Florida Public Service Commission that the transfer of facilities from United Water Florida, Inc., Post Office Box 8004, Jacksonville, Florida 32239-0004, to Jacksonville Electric Authority, 21 West Church Street, Jacksonville, Florida 32202, is hereby acknowledged. It is further

ORDERED that Certificates Nos. 236-W and 179-S, held by United Water Florida, Inc., are hereby cancelled. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 4th day of March, 2002.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

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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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.