

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint application for transfer of water and wastewater facilities of East Pasco Utilities, Inc. to Pasco County, and request for cancellation of Certificates 137-W and 098-S.

DOCKET NO. 030589-WS
ORDER NO. PSC-03-1034-FOF-WS
ISSUED: September 18, 2003

ORDER ACKNOWLEDGING SALE OF EAST PASCO UTILITIES, INC.
TO PASCO COUNTY, CANCELING CERTIFICATES NOS. 137-W AND 098-S,
AND CLOSING DOCKET

BY THE COMMISSION:

East Pasco Utilities, Inc. (East Pasco or utility) is a Class B utility that provides water and wastewater in Pasco County. The utility holds Certificate Nos. 137-W and 098-S and has been operating under our jurisdiction since 1973. The utility serves approximately 1,693 water customers and 1,068 wastewater customers.

On July 2, 2003, East Pasco and Pasco County (County) filed an application with the Commission for the acknowledgment of the transfer of East Pasco to the County and the cancellation of Certificate Nos. 137-W and 098-S pursuant to Section 367.071(4)(a), Florida Statutes, and Rule 25-30.037, Florida Administrative Code. The joint applicants provided a copy of the Purchase & Sale Agreement for our review. The agreement sells East Pasco to the County for a purchase price of \$2,841,000, subject to adjustment for new equivalent residential connections added by the utility between the time of execution of the agreement and the closing. The closing is scheduled to occur in September 2003.

The joint applicants also indicate that the utility's customer deposits and accumulated interest will be transferred to the County, and the credit for the customer deposits will be applied to the purchase price. The joint applicants confirm in the application that the County has obtained East Pasco's most recently available income and expense statement, balance sheet, statement of rate base for regulatory purposes and contributions-in-aid-of-construction. After a diligent search, East Pasco has been unable to locate the original certificates.

DOCUMENT NUMBER-DATE

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Finally, according to our records and the application, the utility's annual reports and regulatory assessment fees (RAFs) are current through December 31, 2002, and there are no outstanding fines owed. East Pasco will pay the estimated 2003 RAFs and file the final Regulatory Assessment Fee Return the day of the closing. The utility has no open dockets pending before the Commission.

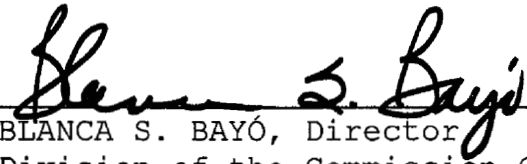
The application is in compliance with Section 367.071(4)(a), Florida Statutes, and Rule 25-30.037(4), Florida Administrative Code. Under Section 367.071(4)(a), the sale of East Pasco's facilities to the County authority is to be approved as a matter of right. Therefore, we find it appropriate to acknowledge the transfer of facilities from East Pasco to the County. Our staff will close this docket administratively and cancel Certificate Nos. 137-W and 098-S upon receipt of the RAFs.

Based on the foregoing, it is

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

ORDERED that this Docket shall be closed administratively and Certificate Nos. 137-W and 098-S cancelled upon receipt by the Commission of East Pasco's final Regulatory Assessment Fee Return.

By ORDER of the Florida Public Service Commission this 18th Day of September, 2003.



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

(S E A L)

MCB

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.