

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of water facilities to City of Ocala Water and Sewer, and cancellation of Certificate No. 427-W, by Windstream Utilities Company.

DOCKET NO. 20180150-WU  
ORDER NO. PSC-2018-0556-FOF-WU  
ISSUED: November 20, 2018

ORDER ACKNOWLEDGING TRANSFER TO GOVERNMENTAL AUTHORITY AND  
CANCELLING WATER CERTIFICATE

BY THE COMMISSION:

Windstream Utilities Company (Windstream or Utility) is a Class C water utility providing service to approximately 147 customers in Marion County. On August 1, 2018, the Commission received an application for transfer from Windstream stating the City of Ocala Water and Sewer had assumed the operation, management, and control of the distribution of water to Windstream's customers on July 10, 2018.<sup>1</sup>

Pursuant to Section 367.071(4)(a), Florida Statutes (F.S.), and Rule 25-30.038(2), Florida Administrative Code (F.A.C.), the Utility provided copies of the document transferring the Utility's customers and Annual Report. In accordance with Rule 25-30.038(2)(f), F.A.C., the Utility stated it held no customer deposits. Windstream paid its 2017 regulatory assessment fees (RAFs) of \$2,699.73 on March 16, 2018, and paid its 2018 RAFs through the date of the transfer of \$1,736.73. The Utility filed its 2017 Annual Report on June 22, 2018.

The Commission has jurisdiction pursuant to Section 367.071, F.S. Based on the above, we find that the application for transfer to a government entity is in compliance with Sections 367.071 and 367.022(2), F.S., and Rule 25-30.038, F.A.C. The transfer of Windstream's water facilities and customers to the City of Ocala Water and Sewer is hereby acknowledged as a matter of right pursuant to Section 367.071(4)(a), F.S. Certificate No. 427-W is hereby canceled effective July 10, 2017.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the transfer of Windstream Utilities Company's water facilities to the City of Ocala Water and Sewer is hereby acknowledged as a matter of right. It is further

ORDERED that Certificate No. 427-W is canceled, effective July 10, 2018. It is further

ORDERED that this docket is closed.

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<sup>1</sup> Document No. 05025-2018 filed August 1, 2018.

By ORDER of the Florida Public Service Commission this 20th day of November, 2018.



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CARLOTTA S. STAUFFER  
Commission Clerk  
Florida Public Service Commission  
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Tallahassee, Florida 32399  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.