

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgement of )	DOCKET NO. 900670-SU
transfer of territory served by Punta )	ORDER NO. 23731
Rassa Utilities, Inc. to Department of )	ISSUED: 11-07-90
Lee County Utilities and cancellation )	
of Certificate No. 404-S in Lee County.)	

ORDER ACKNOWLEDGING SALE, CANCELLING CERTIFICATE AND CLOSING DOCKET

BY THE COMMISSION:

Punta Rassa Utilities, Inc. (Punta Rassa or Utility) has heretofore operated its sewer system under the jurisdiction of the Florida Public Service Commission, providing service to certain territory in Lee County, Florida.

On February 25, 1990, Lee County acquired Punta Rassa. There were no customer deposits at the time of the transfer. Commission requirements regarding regulatory assessment fees have been met, and there are no dockets pending involving this sytem.

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

On the basis of the foregoing, we have determined that Certificate No. 404-S should be cancelled. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Punta Rassa Utilities, Inc., 18550 McGregor Boulevard, Ft. Myers, Florida 33908, to the Department of Lee County Utilities, Post Office Box 398, Ft. Myers, Florida 33902-0398, is hereby acknowledged. It is further


ORDERED that Certificate No. 404-S is hereby cancelled. The Utility is directed to return the Certificate to this Commission for cancellation within 20 days of the date of this Order. It is further

ORDERED that Docket No. 900670-SU is hereby closed.

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By ORDER of the Florida Public Service Commission, this 7th  
day of NOVEMBER, 1990.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(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 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 Appeals in the case of a water or sewer 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.