

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for acknowledgement	)	DOCKET NO. 910273-WS
of sale of Way-Jim Utility Company, Inc.	)	ORDER NO. 24576
to City of Jacksonville and cancellation	)	ISSUED: 5/24/91
of Certificates Nos. 269-W and 211-S in	)	
Duval County.	)	

ORDER ACKNOWLEDGING SALE OF WAY-JIM UTILITY COMPANY,  
INC. TO CITY OF JACKSONVILLE

BY THE COMMISSION:

On March 5, 1991, Way-Jim Utility Company, Inc. (Way-Jim or Utility) filed an application with this Commission for acknowledgment of the sale of its water and sewer facilities to the City of Jacksonville, in Duval County, Florida. The sale occurred on February 28, 1991.

Way-Jim's tariff does not allow for the collection of customer deposits; therefore, there were no customer deposits at the time of closing. However, the Utility has not paid regulatory assessment fees for the period of time between January 1, 1991, and the closing date, February 28, 1991.

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 it is appropriate to acknowledge the sale of Way-Jim to the City of Jacksonville. However, since Way-Jim has not paid regulatory assessment fees for 1991, we will not cancel Certificates Nos. 269-W and 211-S. Way-Jim is directed to return the Certificates to the Commission for cancellation upon payment of the appropriate regulatory fees. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Way-Jim Utility Company, Inc., 4900 Manatee Avenue West, Bradenton, Florida 33507, to the City of Jacksonville, City Hall, 220 East Bay Street, Jacksonville, Florida 32202, is hereby acknowledged. It is further

ORDERED that Certificates Nos. 269-W and 211-S shall remain active until Way-Jim Utility Company, Inc. pays the appropriate regulatory assessment fees for 1991. Way-Jim Utility Company, Inc. shall return the Certificates to this Commission within 30 days of

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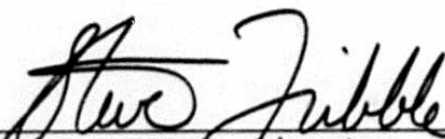
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the date of this Order for cancellation upon payment of the regulatory assessment fees. It is further

ORDERED that Docket No. 910273-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 24th day of MAY, 1991.

  
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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 Appeal 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.