

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgement of	)	DOCKET NO. 910745-SU
sale of Gulf Water and Disposal Company	)	ORDER NO. 24869
to Bay County and cancellation of	)	ISSUED: 7-31-91
Certificates Nos. 327-W and 275-S.	)	

ORDER ACKNOWLEDGING SALE OF GULF WATER AND DISPOSAL  
COMPANY TO BAY COUNTY AND CLOSING DOCKET

BY THE COMMISSION:

On July 2, 1991, Gulf Water and Disposal Company (Gulf or Utility) filed an application with this Commission for acknowledgment of the transfer of its water and sewer facilities to Bay County. The sale is scheduled to occur on or before July 30, 1991.

According to the application, customer deposits, held by Gulf, will be transferred to Bay County at closing. The Utility has paid regulatory assessment fees for 1990. However, it has not paid regulatory assessment fees for the period between January 1, 1991 and closing.

There is one other Docket (Docket No. 910082-WS) before the Commission involving Gulf. In that Docket, Gulf requested authority to gross-up contributions-in-aid-of-construction. Gulf is in the process of withdrawing its application. Upon approval by the Commission, Docket No. 910082-WS will be closed.

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 find it appropriate to acknowledge the transfer of Gulf Water and Disposal Company to Bay County effective July 30, 1991. However, since the Utility has not paid 1991 regulatory assessment fees, we will not cancel Certificates Nos. 327-W and 275-S. The Certificates shall remain active until the Utility pays the appropriate regulatory assessment fees for 1991. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Gulf Water and Disposal Company, 301 Maple Avenue, Post Office Box 1460, Panama City, Florida 32402, to Bay County, 310 West 6th Street, Post Office Box 1818, Panama City, Florida 32402, is hereby acknowledged effective July 30, 1991. It is further

ORDERED that Certificates Nos. 327-W and 275-S shall remain active until Gulf Water and Disposal Company pays the appropriate regulatory assessment fees for 1991. However, Gulf Water and

DOCUMENT NUMBER-DATE

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FSC-RECORDS/REPORTING

ORDER NO. 24869  
DOCKET NO. 910745-WS  
Page 2

Disposal Company shall return Certificates Nos. 327-W and 275-S to the Commission. Upon payment of the regulatory assessment fees, the Certificates shall be cancelled. It is further

ORDERED that Docket No. 910745-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 31st day of July, 1991.



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.