

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Approval of ) DOCKET NO. 930023-WS  
Sale of Facilities of HARBOUR ) ORDER NO. PSC-93-0610-FOF-WS  
OAKS UTILITIES, INC. to City of ) ISSUED: April 21, 1993  
Kissimmee and Cancellation of )  
Certificates Nos. 310-W and )  
258-S in Osceola County. )  
\_\_\_\_\_)

ORDER ACKNOWLEDGING TRANSFER OF HARBOUR OAKS  
UTILITIES, INC., TO THE CITY OF KISSIMMEE, CANCELLING  
CERTIFICATES NOS. 310-W AND 258-S, AND CLOSING DOCKET

BY THE COMMISSION:

On January 5, 1993, Harbour Oaks Utilities, Inc. (Harbour Oaks or utility) filed an application with this Commission for acknowledgment of the transfer of the utility to the City of Kissimmee (Kissimmee).

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

According to the application, the utility was transferred to Kissimmee on January 5, 1993. In compliance with Section 367.071(4)(a), Florida Statutes, Kissimmee received the most recent income and expense statement, balance sheet, and contributions-in-aid-of-construction from the utility. Although Harbour Oaks' annual report indicates that customer deposits were collected, Mr. Charles W. Keller, President of the utility, stated that the utility did not collect customer deposits; and thus, there were none to be disposed of. The 1988, 1992 and 1993 regulatory assessment fees have been paid.

According to the Commission records, there are no pending dockets regarding Harbour Oaks Utilities.

In consideration of the foregoing, we find it appropriate to acknowledge the transfer of Harbour Oaks to the City of Kissimmee. In addition, we find it appropriate to cancel Certificates Nos. 310-W and 258-S.

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Based upon the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that the transfer of Harbour Oaks Utilities, Inc., to the City of Kissimmee, is hereby acknowledged. It is further

ORDERED that Certificates Nos. 310-W and 258-S are hereby cancelled.

ORDERED that Docket No. 930023-WS is hereby closed.

By ORDER of the Florida Public Service Commission this 21st day of April, 1993.



STEVE TRIBBLE, Director  
Division of Records and Reporting

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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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.