



Public Service Commission

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RECORDS AND REPORTING

DATE: August 22, 2000

TO: Division of Records Reporting

FROM: Stephanie Clapp and Richard Redemann, Division of Regulatory Oversight
Alice Crosby, Division of Legal Services

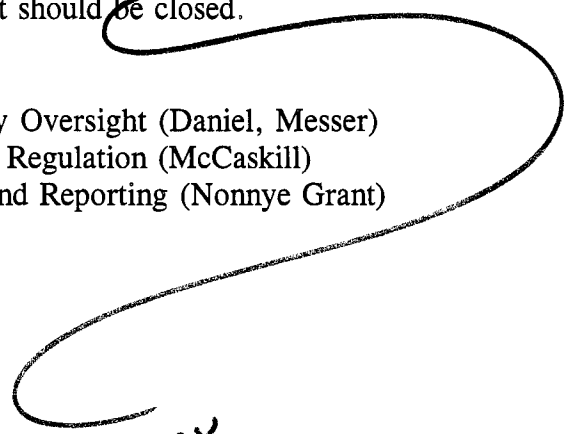
RE: Docket 981992-WS: Application for transfer of majority organizational control of Sandy Creek Utilities, Inc., holder of Certificate Nos. 514-W and 446-S in Bay County from Sandy Creek Properties, Inc., to Mr. Gary L. Souders.

BOM
PP
RRK

By memorandum dated June 22, 2000, staff transmitted to Records and Reporting a recorded 99-year rental agreement between Mr. Gary L. Souders, new majority stockholder of Sandy Creek Utilities, Inc., and Sandy Creek Utilities, Inc. Order No. PSC-99-1232-FOF-WS, issued June 22, 1999, in Docket No. 981992-WS approved the transfer of majority organizational control. The order also stated that the Docket would remain open until a warranty deed in the name of the utility for the wastewater treatment facility was received, then the Docket would be closed administratively. Rule 25-30.037(3)(i), Florida Administrative Code, requires a utility to provide proof of ownership or continued use of the land upon which its facilities are located. The warranty deed required in the order was to meet this requirement. Order No. PSC-00-0342-PCO-WS issued February 18, 2000, granted a request for additional time to file the warranty deed. Mr. Souders has provided a recorded 99-year lease to meet the requirements of the Rule and the order. The 99-year lease does constitute proof as to continued use of the land upon which the utility's facilities are located. Therefore, the intent of the order has been met and the Docket should be closed.

cc: Division of Regulatory Oversight (Daniel, Messer)
Division of Economic Regulation (McCaskill)
Division of Records and Reporting (Nonnye Grant)

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