

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: December 19, 2017

TO: Danijela Janjic, Senior Attorney, Office of the General Counsel
Jennifer S. Crawford, Attorney Supervisor, Office of the General Counsel

FROM: Clayton K. Lewis, US Engineering Specialist, Division of Engineering *CKL*
Robert E. Graves, Public Utilities Supervisor, Division of Engineering *REG*

RE: Docket No. 20170214 –WU- Application for transfer of water facilities to City of Lake Worth, Palm Beach County, and cancellation of Certificate No. 053-W, by Lake Osborne Waterworks, Inc.

Lake Osborne Waterworks, Inc. (Lake Osborne or Utility) is a Class B water utility providing service to approximately 465 customers in Palm Beach County. On October 3, 2017, the Commission received an application for transfer from Lake Osborne stating that the City of Lake Worth purchased the Utility on September 28, 2017.¹

Pursuant to Section 367.071(4)(a), Florida Statutes (F.S.), and Rule 25-30.038(2), Florida Administrative Code (F.A.C.), the Utility provided copies of the document transferring the Utility's water facilities. In accordance with Rule 25-30.038(2)(f), F.A.C., the Utility stated it transferred customer deposits of \$36,002 to the City of Lake Worth. Lake Osborne paid its outstanding regulatory assessment fees of \$3,194.10 on November 28, 2017. The Utility filed its 2016 Annual Report on March 22, 2017.

The Commission has jurisdiction pursuant to Section 367.071, F.S. Also, pursuant to Section 2.07(C)(4)(d) of the Administrative Procedures Manual, staff has been given administrative authority to approve transfers to governmental entities that are in compliance with Section 367.071(4)(a), F.S., and are not controversial in nature. Based on the above, staff believes that the application is in compliance with Sections 367.071 and 367.022(2), F.S., and Rule 25-30.038, F.A.C. Staff recommends the Commission acknowledge the transfer of Lake Osborne's water facilities to the City of Lake Worth as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate No. 053-W effective September 29, 2017. In addition, staff recommends the docket should be closed because no further action is necessary.

cc: Office of Commission Clerk (Docket No. 20170214-WU)

¹Document No. 08053-2017 filed October 3, 2017