

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Kincaid Hills Water Company, in Alachua County, for noncompliance with Sections 350.113, 350.117, 367.121, and 367.145, Florida Statutes, and Rules 25-30.110, 25-30.120, 25-30.355, and 25-22.032, Florida Administrative Code.

DOCKET NO. 20170200-WU

In re: Application for transfer of facilities of Kincaid Hills Water Company and water Certificate No. 555-W to Gator Waterworks, Inc.

DOCKET NO. 20180066-WU

FILED: March 20, 2018

REQUEST TO HOLD CERTIFICATE REVOCATION PROCEEDINGS
IN DOCKET NO. 20170200-WU IN ABEYANCE

Gator Waterworks, Inc. (Gator), pursuant to Rule 28-106.204, Florida Administrative Code, respectfully requests that the Commission enter an order holding the Certificate Revocation Proceedings ordered in Order No. PSC-2017-0470-PCO-WU, issued on December 15, 2017 in Docket No. 20170200-WU in abeyance until such time as the Commission makes its ruling on the Application for Transfer of Certificate No. 555-W in Docket No. 20180066-WU. As grounds in support of its request, Gator states the following:

1. The Commission issued Order No. PSC-2017-0470-PCO-WU, on December 15, 2017, directing its Commission Staff to initiate certificate revocations proceedings in Docket No. 20170200-WU (Revocation Order).
2. On February 23, 2018, Gator acquired the water facility assets of Kincaid Hills Water Company through closing.
3. On March 12, 2018, Gator filed its application for transfer of the water facilities of Kincaid Hills Water Company and water Certificate No. 555-W.
4. Gator took control over the operations of the water facilities on February 23, 2018 subsequent to the closing on the assets.
5. As a condition of the closing, Gator submitted payment directly to the Florida Public Service Commission for the (a) past due RAFs, including penalty and interest pursuant to

the Revocation Order issued December 15, 2017; (b) Annual Report penalties pursuant to Revocation Order; and (c) Current 2017 RAF due. These payments were made directly to the FPSC from the proceeds of the sales transaction. In doing so, Gator wanted to ensure these payments were made directly, as opposed to being submitted to the Seller with the possibility of no payment being subsequently made to the Commission.

6. Also as a condition of the closing, Gator also submitted payment directly to Alachua County Tax Collector for past due tangible and real estate taxes.
7. Subsequent to the transfer of the facilities, Gator has already undertaken significant and substantial improvements to the water facilities and operations. Gator is in the process of replacing the hydro-pneumatic tank, air compressor, well pump & motor, generator, numerous meters, and the water disinfection system. Gator is also replacing the water treatment piping, replacing electrical pressure switches, electrical control panel, and well meters. In addition, Gator is removing dead trees, downed trees, and old dilapidated buildings.
8. Proceeding with revocation proceedings will place these substantial and required improvements at risk to the new owner of the water facilities.
9. In addition, proceeding with the revocation proceedings will cause the Commission to incur additional costs and substantial workload on its Staff that may not be necessary due to the transfer of the facilities and the subsequent filed Application for Transfer Docket.
10. Based upon the above presented facts, economy and efficiency would be served by holding the Certificate Revocation Proceedings in abeyance while the Staff processes the Transfer Docket cited above.

WHEREFORE, Gator Waterworks, Inc. respectfully requests that the Commission enter an order holding the Certificate Revocation Proceedings ordered in Order No. PSC-2017-0470-PCO-WU, issued on December 15, 2017 in Docket No. 20170200-WU in abeyance until such time as the Commission makes its ruling on the Application for Transfer of Certificate No. 555-W in Docket No. 20180066-WU.



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