

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for) DOCKET NO. 931206-WS
Acknowledgement of Sale of) ORDER NO. PSC-94-0274-FOF-WS
Sunbelt Utilities, Inc. to) ISSUED: March 9, 1994
Village Center Community)
Development District and)
Cancellation of Certificates)
Nos. 280-W and 227-S in)
Lake/Sumter Counties)
_____)

ORDER ACKNOWLEDGING SALE, CANCELLING CERTIFICATES
AND CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

On December 17, 1993, Sunbelt Utilities, Inc. (Sunbelt or utility) filed an application with this Commission for acknowledgement of the transfer of its water and wastewater facilities to the Village Center Community District (Village Center). The sale occurred on November 29, 1993.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sale or transfer of water and/or wastewater 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.

In compliance with Section 367.071(4)(a), Florida Statutes, Village Center received the most recent income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction from the utility. According to the utility, and our review of the utility's tariffs, the utility did not collect customer deposits. The 1992 and 1993 regulatory assessment fees have been paid.

According to Commission records, Docket No. 940076-WS has been opened to process the disposition of gross-up funds received by Sunbelt. These refunds and their verification will be required and monitored regardless of whether the certificates have been cancelled due to the sale to Village Center.

DOCUMENT NUMBER-DATE

02256 MAR-94

FPSC-REGULATORY REPORTING

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On the basis of the foregoing, we find it appropriate to acknowledge the transfer of Sunbelt to Village Center and to cancel Certificates Nos. 280-W and 227-S in Lake and Sumter Counties. Sunbelt has returned its certificates for cancellation.

Based on the foregoing, it is therefore,

ORDERED by the Florida Public Service Commission that the sale of Sunbelt Utilities Inc., 122 Avendia Central, Lady Lake, Florida 32159 to Village Center Community Development District, 10300 N.W. 11th Manor, Coral Springs, Florida 33071, is hereby acknowledged. It is further

ORDERED that Certificates Nos. 280-W and 227-S are hereby cancelled. It is further

ORDERED that Docket No. 931206-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 9th day of March, 1994.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

MSN

by: Kay Flynn
Chief, Bureau of Records

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

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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.