

STATE OF FLORIDA

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Public Service Commission

May 25, 2022

Mr. Michael Smallridge
5911 Trouble Creek Rd.
New Port Richey, FL. 34652

VIA ELECTRONIC AND U.S. MAIL

In re: Docket No. 20220092-WS - Notice of abandonment of water and wastewater systems in Charlotte County by Sun River Utilities, Inc.

Dear Mr. Smallridge,

I am writing in response to the Notice of Abandonment for Sun River Utilities, Inc. (Sun River), which you filed on May 9, 2022, in the above-captioned docket.

Abandonment of a Commission-regulated utility is addressed pursuant to Section 367.165, Florida Statutes, which contemplates that after a notice of abandonment is filed, the affected county will petition the circuit court of the judicial circuit in which such utility is domiciled to appoint a receiver. The receiver operates the utility from the date of abandonment until such time as the receiver disposes of the property of the utility in a manner designed to continue the efficient and effective operation of utility service.

The Commission has already acknowledged the abandonment of Sun River, by Order No. PSC-2021-0316-FOF-WS, issued August 23, 2021, in Docket No. 20210038-WS. By that Order, the Commission acknowledged the abandonment of Sun River pursuant to a joint application for abandonment by Sun River and North Charlotte Waterworks, Inc., which was operating the utility at that time. The Commission also acknowledged that you had been appointed to act as receiver for the abandoned utility by order of the Twentieth Judicial Circuit Court.¹

The order appointing you receiver provides that you shall continue as receiver until such time as you dispose of the utility as provided for in the order, or you are relieved of any further duty as receiver by the court. The Commission has no jurisdiction over your appointment or withdrawal as receiver of Sun River. Therefore, I believe the appropriate action in this case, if you wish to terminate your role as receiver for the utility, is to petition the court, as only the court has the power to grant such relief.

¹ Case No. 21-0148CA, issued April 30, 2021.

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Since the Commission has already acknowledged the abandonment of Sun River, a second notice of abandonment is not the appropriate means of relinquishing your role as receiver. I would therefore request that you file a letter withdrawing your May 9th filing, so staff may close the docket administratively.

If you have any questions, please feel free to call me at (850) 413-6228.

Sincerely,

/s/ Jennifer Crawford

Jennifer Crawford

Senior Attorney

JSC/ds)

cc: Office of Commission Clerk (Docket No. 20220092-WS)