

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Acknowledgment of the sale of ) DOCKET NO. 910150-WU  
Carolyn Heights Water Company, Inc. to )  
the City of Lake City and cancellation ) ORDER NO. 24215  
of Certificate No. 372-W in Columbia )  
County, Florida. ) ISSUED: 3/11/91  
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ORDER ACKNOWLEDGING SALE OF CAROLYN HEIGHTS  
WATER COMPANY, INC. TO THE CITY OF LAKE CITY

BY THE COMMISSION:

On February 4, 1991, this Commission received a copy of the Agreement for Purchase and Sale of Carolyn Heights Water Company, Inc. (Carolyn Heights or Utility) to the City of Lake City (City). The Utility was sold to the City in November, 1988. We became aware of the sale in July, 1989.

No customer deposits were collected by the Utility; therefore, there were no customer deposits at the time of closing. Commission requirements regarding regulatory assessment fees have been met, and there are no dockets pending involving this system.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sales of water and/or sewer 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.

Although the Utility has filed its Annual Report and paid the appropriate regulatory assessment fees, the Annual Report was filed late. Therefore, Certificate No. 372-W shall remain active pending the completion of a proceeding regarding the possible penalty for failure of Carolyn Heights to timely file its Annual Report. Since this matter will be addressed in the penalty proceeding, Docket No. 910150-WU may be closed. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Carolyn Heights Water Company, Inc., Post Office Box 2855, Lake City, Florida 32056-2855, to the City of Lake City, Post Office Box 1687, Lake City, Florida 32056-1687, is hereby acknowledged. It is further

ORDERED that Certificate No. 372-W shall remain active pending the completion of a proceeding regarding the possible penalty for

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PSC-RECORDS/REPORTING

ORDER NO. 24215  
DOCKET NO. 910150-WU  
Page 2

failure of Carolyn Heights to timely file its Annual Report. It is further

ORDERED that Docket No. 910150-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 11th  
day of MARCH, 1991.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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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 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,

ORDER NO. 24215  
DOCKET NO. 910150-WU  
Page 3

pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.