

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgement)	DOCKET NO. 910829-WS
of sale of Imperial Recreation and)	ORDER NO. 25473
Utility, Inc. to City of Tavares and)	ISSUED: 12/11/91
cancellation of Certificates Nos. 322-W))	
and 270-S in Lake County.)	
)	

ORDER ACKNOWLEDGING SALE, CANCELLING CERTIFICATES
AND CLOSING DOCKET

BY THE COMMISSION:

On August 6, 1991, Imperial Recreation and Utility, Inc. (IRUI or Utility) filed an application with this Commission for acknowledgment of the sale of its water and wastewater facilities to the City of Tavares in Lake County, Florida. The sale occurred on December 1, 1986.

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.

With its transfer application, a utility must indicate disposition of customer deposits. In the instant docket, IRUI's tariffs contained no provision for the collection of customer deposits. Commission requirements regarding regulatory assessment fees have been met, and there are no pending dockets involving this Utility.

On the basis of the foregoing, we have determined that Certificates Nos. 322-W and 270-S should be cancelled. It is, therefore,

ORDERED by the Florida Public Service Commission that the sale of Imperial Recreation and Utility, Inc., 1024 Hilltop Road, Post Office Box 1266, Tavares, Florida 32778-1266, to the City of Tavares, 201 East Main Street, Tavares, Florida 32778, is hereby acknowledged. It is further

ORDERED that Certificates Nos. 322-W and 270-S are hereby cancelled. The Utility is directed to return the Certificates to this Commission for cancellation within 20 days of the date of this Order. It is further

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ORDERED that Docket No. 910829-WS is hereby closed.

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



STEVE TRIBBLE, Director
Division of Records and Reporting

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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, 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.