

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of facilities in St. Lucie County from Holiday Pines Service Corp. to St. Lucie County and cancellation of Certificates Nos. 553-W and 483-S.

DOCKET NO. 990990-WS
ORDER NO. PSC-99-1880-FOF-WS
ISSUED: September 21, 1999

ORDER ACKNOWLEDGING TRANSFER,
CANCELING CERTIFICATES, AND CLOSING DOCKET

BY THE COMMISSION:

Holiday Pines Service Corp. (Holiday Pines or utility) is a Class B water and wastewater utility providing service to the Holiday Pines subdivision and surrounding areas in St. Lucie County, Florida (County). According to the utility's 1998 annual report, Holiday Pines serves a yearly average of 843 water and 832 wastewater connections. These connections produced a combined revenue of \$700,629 and a combined net operating income of \$102,558.

Holiday Pines was granted grandfather Certificates Nos. 553-W and 483-S on May 13, 1993, pursuant to Order No. PSC-93-0739-FOF-WS, in Docket No. 921334-WS. However, Holiday Pines's territory was corrected by Order No. PSC-94-0034-FOF-WS, issued January 11, 1994, in the same docket. There have been no other Commission actions affecting the utility's service territory.

On June 8, 1999, the utility and County executed a Utility Asset Transfer Agreement and closing occurred on July 8, 1999. On July 29, 1999, Holiday Pines filed an application to transfer its facilities to St. Lucie County and to cancel Certificates Nos. 553-W and 483-S.

Pursuant to Rule 25-30.037(4)(g), Florida Administrative Code, Holiday Pines's application states that the customer deposits were transferred to the County at the time of the closing and that the County has assumed responsibility for the disposition of such deposits and interest. Furthermore, the application states that the County has obtained Holiday Pine's most recent available income and expense statement, balance sheet, statement of rate base for regulatory purposes and contributions-in-aid-of-construction pursuant to Rule 25-30.037(4)(e), Florida Administrative Code.

Finally, according to the Commission's records and Holiday Pines's application, the utility's Annual Reports and regulatory

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assessment fees (RAFs) are current through the end of 1998 and there are no outstanding penalties, interest or refunds owed. We have also verified that Holiday Pines has pre-paid 1999 RAFs up to the July 8, 1999, closing. In addition, Holiday Pines has returned their original certificates for disposal and the utility has no open dockets pending before the Commission.

Based on the foregoing, we find that the application is in compliance with Section 367.071(4), Florida Statutes, and Rule 25-30.037(4), Florida Administrative Code. Pursuant to Section 367.071(4)(a), Florida Statutes, the sale or transfer of facilities to a governmental authority is approved as a matter of right. Accordingly, we hereby approve the transfer of facilities from Holiday Pines to St. Lucie County and cancel Certificates Nos. 553-W and 483-S.

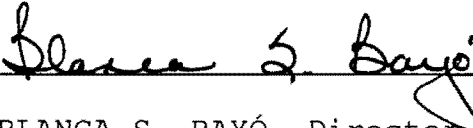
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the transfer of facilities from Holiday Pines Service Corp., 6105 Memorial Highway, Suite C, Tampa, Florida 33615, to St. Lucie County, Florida, 2300 Virginia Avenue, 3rd Floor Administrative Complex, Ft. Pierce, Florida 34982, is hereby approved. It is further

ORDERED that Certificates Nos. 553-W and 483-S, held by Holiday Pines Utility Corp., are hereby canceled. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 21st day of September, 1999.



BLANCA S. BAYÓ, 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 120.569(1), 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater 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.