

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgement of)	DOCKET NO. 910532-SU
transfer of territory served by Wyndemere))	ORDER NO. 24656
Services, Inc. to Collier County)	ISSUED: 6/11/91
Utilities Division and cancellation of)	
Certificate No. 408-S in Collier County.)	

ORDER ACKNOWLEDGING SALE OF WYNDEMERE SERVICES, INC.
TO COLLIER COUNTY UTILITIES DIVISION AND CLOSING DOCKET

BY THE COMMISSION:

On April 30, 1991, Wyndemere Services, Inc. (Wyndemere or Utility) filed an application with this Commission for acknowledgment of the transfer of its sewer facilities to Collier County. Wyndemere returned Certificate No. 408-S to the Commission with its application.

According to the application, the system was connected to Collier County's regional system on April 11, 1991. There were no customer deposits at the time the transfer occurred. Wyndemere has paid the regulatory assessment fees for 1990. However, the Utility has not yet paid regulatory assessment fees for 1991.

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.

On the basis of the foregoing, we find it appropriate to acknowledge the transfer of Wyndemere to Collier County. However, since Wyndemere has not paid 1991 regulatory assessment fees, we will not cancel Certificate No. 408-S. Certificate No. 408-S shall remain active until the Utility pays the appropriate regulatory assessment fees for 1991.

It is, therefore,

ORDERED by the Florida Public Service Commission that the transfer of Wyndemere Services, Inc. 3000 Livingston Road, Naples, Florida 33999, to Collier County Utilities Division, 2800 North Horseshoe Drive, Naples, Florida 33942, is hereby acknowledged. It is further

ORDERED that Certificate No. 408-S shall remain active until Wyndemere Services, Inc. pays the appropriate regulatory assessment fees for 1991. It is further

DOCUMENT NUMBER-DATE

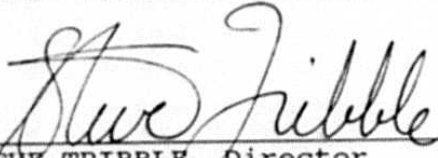
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ORDERED that Docket No. 910532-SU is hereby closed.

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



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

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.