

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request For) DOCKET NO. 960346-WU
Acknowledgement of Sale of) ORDER NO. PSC-96-0777-POF-WU
Facilities of Walker Memorial) ISSUED: June 17, 1996
Hospital d/b/a Pine Acres Water)
to City of Avon Park and)
Cancellation of Water)
Certificate No. 465-W in)
Highlands County.)

ORDER ACKNOWLEDGING SALE, CANCELLING
CERTIFICATE AND CLOSING DOCKET

BY THE COMMISSION:

On March 18, 1996, Pine Acres Water (Pine Acres or Utility) filed an application with this Commission for acknowledgment of the transfer of its water facilities to the City of Avon Park. According to the application, the transfer occurred on August 1, 1994.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sales of water and/or wastewater utilities to governmental agencies. However, the sale or transfer of facilities to a governmental authority is approved as a matter of right. Section 367.071(4)(a), Florida Statutes.

Rule 25-30.037(4)(g), Florida Administrative Code, requires a utility to submit a statement regarding disposition of customer deposits when a utility is transferred. All customer deposits held by Pine Acres were returned to the customers at the time of the transfer. Commission requirements regarding regulatory assessment fees have been met, and there are no dockets pending involving this system.

On the basis of the foregoing, we find it appropriate to acknowledge the transfer of the facilities of Pine Acres to the City of Avon Park and to cancel Certificate No. 465-W. Pine Acres shall return Certificate No. 465-W to the Commission within 20 days of the date of this Order for cancellation.

It is, therefore,

ORDERED by the Florida Public Service Commission that the transfer of the facilities of Pine Acres Water, 111 North Orlando Avenue, Winter Park, Florida 32789, to the City of Avon Park, 110

DOCUMENT NUMBER-DATE

06486 JUN 17 96

FPSC-RECORDS/REPORTING

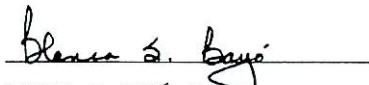
ORDER NO. PSC-96-0777-FOF-WU
DOCKET NO. 960346-WU
PAGE 2

East Main Street, Avon Park, Florida 33825, is hereby acknowledged.
It is further

ORDERED that Pine Acres Water shall return Certificate No. 465-W to this Commission within 20 days of the date of this Order for cancellation. It is further

ORDERED that Docket No. 960346-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 17th day of June, 1996.



BLANCA S. BAYÓ, 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.

ORDER NO. PSC-96-0777-FOF-WU
DOCKET NO. 960346-WU
PAGE 3

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.