

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for) DOCKET NO. 930441-SU
Acknowledgement of Sale of) ORDER NO. PSC-93-0935-FOF-SU
Facilities to Escambia County) ISSUED: 06/22/93
Utilities Authority and)
Cancellation of Certificate No.)
475-S in Escambia County by)
BAYOU GRANDE TREATMENT CORP.)
_____)

ORDER ACKNOWLEDGING TRANSFER AND
CLOSING DOCKET

BY THE COMMISSION:

Background

Bayou Grande Treatment Corporation (Bayou Grande or utility) is a Class C utility which provides wastewater service in Escambia County pursuant to Certificate No. 475-S. On March 2, 1993, Bayou Grande sold its facilities to Escambia County Utilities Authority (ECUA). On April 29, 1993, Bayou Grande filed an application with the Commission requesting acknowledgment of the transfer.

Transfer

The transfer shall be acknowledged as a matter of right pursuant to Section 367.071, Florida Statutes. The utility shall return Certificate No. 475-S for cancellation.

The transfer occurred March 2, 1993, and ECUA has been providing wastewater service to the customers since that date. On April 29, 1993, an application for acknowledgment of the transfer was filed with the Commission. Pursuant to Section 367.071(4)(a), Florida Statutes, the sale of the utility system to a governmental authority shall be approved as a matter of right as long as the government authority obtains from the utility or the Commission the utility's most recent available income and expense statement, balance sheet, and statement of rate base for regulatory purposes and contributions-in-aid-of-construction. ECUA did obtain this information from the Commission.

According to the utility's application and its tariffs, customer deposits were collected by Bayou Grande. These deposits were refunded upon the transfer of the facilities. In addition, Bayou Grande has paid regulatory assessment fees through March 2, 1993. In consideration of the above, we hereby acknowledge the

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transfer of Bayou Grande to ECUA. Certificate No. 475-S will be cancelled accordingly, and this docket shall be closed.

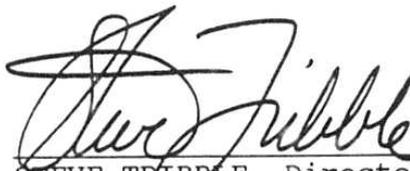
Based on the foregoing, it is therefore,

ORDERED by the Florida Public Service Commission that the transfer of Bayou Grande Treatment Corporation to Escambia County Utility Authority is hereby acknowledged. It is further

ORDERED that Bayou Grande Treatment Corporation shall return Certificate No. 475-S for cancellation. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission, this 22nd day of June, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

LAJ

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

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