



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: January 20, 1998

TO: Kay Flynn, Chief of Records, Division of Records and Reporting

FROM: Martha Golden, Economic Analyst, Division of Water & Wastewater *masd BCr gow*

RE: Docket No. 970273-WU; Request for approval of transfer of water facilities of Duval Utility Company to Clay County Utility Authority and cancellation of Certificate No. 299-W in Clay County; Request for Refund of Filing Fee

On March 4, 1997, the Commission received an application requesting approval to transfer Certificate No. 299-W from Duval Utility Company (Duval or utility) to Sun Coast Utility (Sun Coast.) Prior to completing the deficiency corrections for that application, Duval and Sun Coast decided to transfer the utility facilities to the Clay County Utility Authority rather than proceeding with the previously requested transfer. On August 29, 1997, the Commission received a new application from Duval requesting approval to transfer the water facilities to the Clay County Utility Authority and cancellation of Certificate No. 299-W.

Sun Coast paid a \$750 filing fee for the first transfer application, however, no filing fee is required for an application to transfer the utility to a governmental agency. Consequently, Sun Coast has requested a refund of the \$750 filing fee. I have attached a copy of Sun Coast's check showing payment of the filing fee and its letter requesting a refund for your reference.

Commission practice has been to refund a filing fee if no significant time and effort have been spent on the case. The staff assigned to this docket spent little time and resources processing it prior to the utility's decision to transfer the utility to the County rather than to Sun Coast. We believe it is appropriate and consistent with past Commission practice to refund the filing fee in this case. Therefore, we are requesting that you refund the filing fee to Sun Coast.

Please feel free to call me at 413-7015 or intercom 656 if you need any additional information or have any questions. Thank you for your assistance in this matter.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- RF 1 _____

MAG

Attachments

cc: Division of Legal Services (Jaber, Brubaker, Ottinot)
Division of Water and Wastewater (Hill, Williams, Messer)
Division of Records and Reporting

*Application form mailed 1/28/98
(see attached letter) -KJ*

All Kay

DOCUMENT NUMBER-DATE
01162 JAN 21 98
FPSC-RECORDS/REPORTING

Sun Coast Utility, Inc.

P.O. Box Z3249
Jacksonville, Florida 32241-3249

Telephone (904) 350-0706

August 18, 1997

Florida Public Service Commission
Attn: Ms. Golden
Capitol Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

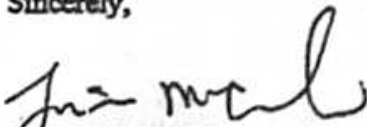
Re: Docket # 970273-WU
Application for Transfer of Certificate No. 299-W from Duval Utility Company to
Sun Coast Utility

Dear Ms. Golden:

Since Sun Coast Utility, Inc. has requested the Commission to withdraw its application to transfer Certificate #299-W, I was wondering if the Commission would also grant the return of the \$750.00 application fee. This would greatly be appreciated.

If you have any questions, please feel free to call me at 904/350-0706.

Sincerely,



Jim McCormack

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

January 28, 1998

Mr. Jim McCormack
Sun Coast Utility, Inc.
P.O. Box 23249
Jacksonville, Florida 32241-3249

Re: Docket No. 970273-WU - Transfer of facilities to Clay County Utility Authority and return of filing fee erroneously submitted

Dear Mr. McCormack:

Enclosed is an Application for Refund form. Please complete the form by adding the utility's FEID number, and dating and signing where indicated. Return the form to:

Florida Public Service Commission
Division of Administration
Attention: Ms. Evelyn Sewell
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0850

Please do not hesitate to call if you have any questions regarding the form.

Sincerely,

A handwritten signature in cursive script that reads "Kay Flynn".

Kay Flynn, Chief
Bureau of Records

Enclosure

cc: Martha Golden, Division of Water and Wastewater
Evelyn Sewell, Division of Administration

Therefore, staff recommends that an administrative order be issued as soon as possible acknowledging the transfer of Duval Utility Company to the Clay County Utility Authority, cancelling Certificate No. 299-W in Clay County, and closing the docket.

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STATE OF FLORIDA
OFFICE OF THE COMPTROLLER
APPLICATION FOR REFUND

Section 215.26, Florida Statutes, states in part: "Applications for refunds as provided in this section shall be filed with the Comptroller, except as otherwise provided herein, within 3 years after the right to such refund shall have accrued else such right shall be barred." Three years is generally interpreted as meaning three years from the date of payment into the State treasury. The Comptroller has delegated the authority to accept applications for refund to the unit of State government which initially collected the money.

Pursuant to the provisions of Rule 3A-46.020, Florida Administrative Code, and Section 215.26, Florida Statutes, or Section _____, Florida Statutes, I hereby apply for a refund of moneys I paid into the State treasury, which are subject to refund. The following information is submitted to substantiate the claim.

Name: Sun Coast Utility, Inc. EIN or SS No. _____

Address: P. O. Box 23249
Jacksonville FL 32441-3249

Amount: \$750.00 Date Paid 3/4/97 (D473)

Reason for Claim: Docket 970273-WU was created to handle transfer to governmental entity. There is no filing fee for this kind of transaction; thus, the \$750.00 filing fee can be refunded.

CERTIFIED TRUE AND CORRECT this _____ day of _____, 19____

Signature _____

*Must be completed if authority is other than Section 215.26, Florida Statutes.

(FOR AGENCY USE ONLY)

Agency recommends approval of the above claim and submits the following information to substantiate the claim: Amount of recommended refund \$ _____.

The amount requested above was originally deposited into the State treasury as a part of the funds deposited on State Treasurer's Receipt No. _____ dated _____.

NAME OF ACCOUNT: _____

SAMS ACCOUNT CODE											

Statutory Authority for Collection: _____
It is requested that payment be made from the following account:

NAME OF ACCOUNT: _____

SAMS ACCOUNT CODE											

CERTIFIED TRUE AND CORRECT this _____ day of _____, 19____

Agency _____

Signature of Authorized Person _____

Title _____

WAW



SUN COAST UTILITY

P.O. Box 23249 • Jacksonville, Florida 32241-3249 • (904) 350-0706

DEPOSIT TREAS. REC. DATE
D473 MAR 04 '97

3-3-97

Director, Division of Records + Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Fl 32399-0850

970273-WU

Re: Transfer of Cert#299-W
McRae Landing.

Enclosed you, ll find items required to transfer Cert3299-W,
pursuant to chapter 367, Florida Statutes, and chapter 25-30
Florida Administrative Code. Any questions should be directed
to Jim McCormack at Ph#904-262-3985 or 350-0706.

- 1) The original and 5 copies of the application.
- 2) The original and 2 copies of the water tariffs.
- 3) The application fee of \$750.00
- 4) Affidavits of notification will follow under separate cover.

Sincerely,

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SUN COAST UTILITY, INC.
P.O. BOX 23249
JACKSONVILLE, FL 32241

3-3-97

Florida Public Service Commission

\$750.00

Seven Hundred Fifty Dollars + No cents

DOLLARS

Compass Bank

James M. ...