

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notice of transfer of water and  
wastewater facilities of Innerarity Island  
Development Corporation to Escambia County  
and cancellation of Certificate Nos. 546-W and  
476-S in Escambia County .

DOCKET NO. 140061-WS  
ORDER NO. PSC-14-0287-FOF-WS  
ISSUED: June 3, 2014

FINAL ORDER ACKNOWLEDGING ABANDONMENT AND  
CANCELLING CERTIFICATE NOS. 546-W AND 476-S

BY THE COMMISSION:

Innerarity Development Corporation (Innerarity or Utility) is a class C water and wastewater utility providing service to approximately 205 water and 188 wastewater customers in Escambia County. The Utility currently holds Water Certificate No. 546-W and Wastewater Certificate No. 476-S.<sup>1</sup>

On January 27, 2014, pursuant to Section 367.165, Florida Statutes (F.S.) and Rule 25-30.090, Florida Administrative Code (F.A.C.), the Utility filed its Notice of Intent to Abandon with Escambia County and the Commission effective March 28, 2014. On March 21, 2014, Circuit Court Judge Jan Shackelford appointed Escambia County as the Utility's receiver. On March 24, 2014 Escambia County notified the Commission that it had been appointed receiver and requested a copy of the Utility's tariffs. The County already had a copy of the Utility's 2013 annual report in its possession. At that time Escambia County also requested that it be found exempt from Commission regulation as a governmental entity pursuant to Rule 25-30.090(6), F.A.C., and Section 367.022(2), F.S.

The Utility filed its 2013 Annual Report on February 28, 2014, and has paid all outstanding regulatory assessment fees (RAFs) for the period January 1, 2013 to December 31, 2013 and for the period January 1 through March 21, 2014, the date that Escambia County was appointed receiver. Because the Utility will not be jurisdictional as of December 31, 2014, no annual report needs to be filed for 2014.

Section 367.165(2), F.S. states that utility systems that are owned, operated, managed, or controlled by governmental authorities are exempt from our regulation. Given Escambia County's appointment as receiver, Innerarity is no longer jurisdictional.

Based on the foregoing, it is

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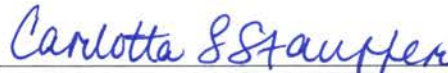
<sup>1</sup> See: Order No. PSC-92-1183-FOF-WS, issued on October 19, 1992, in Docket No. 920660-WS, In re: Application of Innerarity Island Development Corporation for water and wastewater certificates in Escambia County, Florida.

ORDERED by the Florida Public Service Commission that Innerarity Island Development Corporation's notice of abandonment is hereby acknowledged. It is further

ORDERED that Certificate Nos. 546-W and 476-S are hereby cancelled effective March 21, 2014. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 3rd day of June, 2014.



CARLOTTA S. STAUFFER  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.