

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** February 13, 2018

**TO:** Margo A. DuVal, Senior Attorney, Office of the General Counsel *MD*  
Jennifer S. Crawford, Attorney Supervisor, Office of the General Counsel *JSC*

**FROM:** Robert E. Graves, Public Utilities Supervisor, Division of Engineering *RG* *TB*

**RE:** Docket No. 20170042 - WU - Application for transfer of water facilities to City of New Port Richey, and cancellation of Certificate No. 152-W, by LWV Utilities, Inc.

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LWV Utilities, Inc. (LWV or Utility) is a Class C water utility providing service to approximately 443 customers in Pasco County. On February 27, 2017, the Commission received an application for transfer from LWV stating that the City of New Port Richey (City) purchased the Utility on February 10, 2017.

Pursuant to Section 367.071(4)(a), Florida Statutes (F.S.), and Rule 25-30.038(2), Florida Administrative Code (F.A.C.), the Utility provided copies of the document transferring the Utility's water facilities. In accordance with Rule 25-30.038(2), F.A.C., the Utility stated that all customer deposit information had been provided to the City. Additionally, LWV paid its outstanding regulatory assessment fees on January 18, 2018, and a copy of the Utility's most recent available Annual Report was provided to the City.

The Commission has jurisdiction pursuant to Section 367.071, F.S. Also, pursuant to Section 2.07(C)(4)(d) of the Administrative Procedures Manual, staff has been given administrative authority to approve transfers to governmental entities that are in compliance with Section 367.071(4)(a), F.S., and are not controversial in nature. Based on the above, staff believes that the application is in compliance with Sections 367.071 and 367.022(2), F.S., and Rule 25-30.038, F.A.C. Staff recommends the Commission acknowledge the transfer of LWV's water facilities to the City as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate No. 152-W effective February 10, 2017. In addition, staff recommends the docket should be closed because no further action is necessary.

cc: Office of Commission Clerk (Docket No. 20170042-WU)