

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-

DATE: September 21, 2021

TO: Ryan Sandy, Senior Attorney, Office of the General Counsel
Jennifer S. Crawford, Attorney Supervisor, Office of the General Counsel

FROM: Clayton K. Lewis, US Engineering Specialist, Division of Engineering *CL LK*
Marissa Ramos, Public Utilities Supervisor, Division of Engineering *MR*

RE: Docket No. 20210151-WS - Application for transfer of water and wastewater facilities to the City of Ocala, and cancellation of Certificate Nos. 516-W and 448-S, by Sun Communities Operating LP d/b/a Saddle Oak Club.

Sun Communities Operating LP d/b/a Saddle Oak Club (Saddle Oak or Utility) is a Class C utility serving approximately 376 residential water and wastewater customers in Marion County. On September 1, 2021, Saddle Oak filed an application for transfer of its water and wastewater facilities in Marion County to the City of Ocala (City). The application included and Purchase Agreement which was executed on July 12, 2021. Pursuant to Section 367.071(4), Florida Statutes (F.S.), the sale of facilities to a governmental authority shall be approved as a matter of right. As such, no notice of the transfer is required and no filing fees apply.

Furthermore, pursuant to Section 367.071(4)(a), F.S., and Rule 25-30.038(2)(d), Florida Administrative Code (F.A.C.), Saddle Oak provided a copy of the document transferring its water and wastewater facilities and stated there are no customer deposits to transfer to the City. As reflected in the document transferring the water and wastewater facilities to the City, the City has agreed to pay the Utility's regulatory assessment fees through the date of the sale. Additionally, Saddle Oak provided a copy of its 2020 Annual Report 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 the 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 367.022(2) and 367.071, F.S., and Rule 25-30.038, F.A.C. Staff recommends that the Commission acknowledge the transfer of the water and wastewater facilities to the City as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate Nos. 516-W and 448-S effective July 20, 2021. In addition, staff recommends that the docket be closed because no further action is necessary.

cc: Office of Commission Clerk (Docket No. 20210151-WS)