

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of
Application for transfer of
facilities of Blanton Lake
Utilities Company to Pasco
County Utilities and
cancellation of Certificate No.
328-W in Pasco County.

DOCKET NO. 970741-WU
ORDER NO. PSC-97-1424-FOF-WU
ISSUED: November 13, 1997

ORDER ACKNOWLEDGING SALE, CANCELING
CERTIFICATE AND CLOSING DOCKET

BY THE COMMISSION:

On June 19, 1997, Pasco County filed an application with this Commission for acknowledgment of the transfer of water and wastewater facilities from Blanton Lake Utilities Company to Pasco County, pursuant to Section 367.071, Florida Statutes. According to the application, the transfer occurred on June 30, 1997.

The utility has been operated by Pasco County since Blanton Lake Utilities Company was abandoned by Mr. Stephen J. Matala in July of 1994. Order No. PSC-94-0919-FOF-WU, issued on July 26, 1994, in Docket No. 940627-WU, acknowledged the abandonment of the water system. Pasco County's appointment as receiver was recognized by Order No. PSC-94-1235-FOF-WU, issued on October 11, 1994 in Docket No. 940627-WU.

The provisions of Section 367.071, Florida Statutes, require an application for approval of sales of water and/or wastewater utilities to governmental agencies. However, the sale or transfer of facilities to a governmental authority is approved as a matter of right. Section 367.071(4)(a), Florida Statutes.

Rule 25-30.037(4)(g), Florida Administrative Code, requires a utility to submit a statement regarding disposition of customer deposits when a utility is transferred. There were no customer deposits at the time of closing, and there are no dockets pending involving this system. Regulatory assessment fees have been paid for Blanton Lake Utilities Company for 1994 through 1996 by Pasco County. Pasco County has, however, submitted a request for waiver of penalties and interest due for 1996 regulatory assessment fees. The request for waiver will be handled in a separate docket. The prior owner did not remit regulatory assessment fees for 1992 and 1993. This will also be addressed separately.

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On the basis of the foregoing, we find it appropriate to acknowledge the transfer of Blanton Lake Utilities Company to Pasco County and to cancel Certificate No. 328-W. Blanton Lake Utilities Company shall return Certificate No. 328-W to the Commission within 20 days of the date of this Order for cancellation.

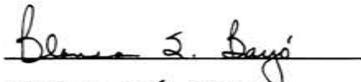
It is, therefore,

ORDERED by the Florida Public Service Commission that the transfer of Blanton Lake Utilities Company to Pasco County Utilities, Public Works/Utilities Building, Suite 204, 7530 Little Road, New Port Richey, Florida 34654, is hereby acknowledged. It is further

ORDERED that Blanton Lake Utilities Company shall return Certificate No. 328-W to the Commission within 20 days of the date of this Order for cancellation. It is further

ORDERED that Docket No. 970741-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 13th day of November, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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 Director, Division of Records and Reporting, 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 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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.