

FLORIDA PUBLIC SERVICE COMMISSION  
Capital Circle Office Center • 2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

MEMORANDUM

AUGUST 1, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF WATER & WASTEWATER (COKER) *Joan*  
DIVISION OF LEGAL SERVICES (REYES) *Lu* *LA* *of* *CA*

RE: DOCKET NO. 960394-WU - GLENN'S COVE CENTRAL WATER SYSTEM  
- APPLICATION FOR APPROVAL OF TRANSFER  
COUNTY: LAKE

AGENDA: AUGUST 13, 1996 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\LEG\WP\960394~~RE.DLR~~ *wu* *Rcm*

CASE BACKGROUND

On March 29, 1996, this Commission received an application from Glenn's Cove Central Water System (Glenn's Cove) for approval of the transfer of its facilities to the City of Tavares (the City) pursuant to Section 367.071(4)(a), Florida Statutes, and Rule 25-30.037, Florida Administrative Code. The transfer was to have occurred on June 4, 1996. Pursuant to Section 367.071(4)(a), Florida Statutes, the transfer must be approved as a matter of right.

On June 17, 1996, Order No. PSC-96-0782-FOF-WU was issued acknowledging the transfer and cancelling Certificate No. 324-W. The transfer did not occur on June 4, 1996 as planned. The parties have indicated that the transfer will not occur at anytime in the future. Therefore, Staff has reopened the docket to bring this recommendation to vacate Order No. PSC-96-0782-FOF-WU and reinstate Certificate No. 324-W.

DOCUMENT NUMBER-DATE

08042 AUG-1 1996

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DISCUSSION OF ISSUES

ISSUE 1: Should the Commission vacate Order No. PSC-96-0782-FOF-WU and reinstate Certificate No. 324-W?

RECOMMENDATION: Yes. Order No. PSC-96-0782-FOF-WU should be vacated and Certificate No. 324-W should be reinstated. (REYES)

STAFF ANALYSIS: As previously discussed in the Case Background, Glenn's Cove applied for approval of the transfer of its facilities to the City of Tavares pursuant to 367.071(4)(a), Florida Statutes, and Rule 25-30.037, Florida Administrative Code. That transfer was approved as a matter of right by Order No. PSC-96-0782-FOF-WJ. By that same order, Certificate No. 324-W was cancelled.

Approximately June 26, 1996, Staff was put on notice by the City that the transfer had not occurred on June 4, 1996 as planned because the City decided to rescind the sales contract via a feasibility clause in the agreement. Because the transfer did not occur, Glenn's Cove remains subject to this Commission's jurisdiction. Therefore, Staff recommends that Order No. PSC-96-0782-FOF-WU be vacated and Certificate No. 324-W be reinstated.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. (REYES)

STAFF ANALYSIS: No further action is required in this docket.  
Therefore, this docket should be closed.