



Public Service Commission

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DATE: JANUARY 5, 1995
 TO: DIVISION OF LEGAL SERVICES (CROSBY)
 DIVISION OF RECORDS AND REPORTING
 FROM: DIVISION OF WATER AND WASTEWATER (COKER) *Mc 60m gpm*
 RE: DOCKET NO. 941044-WS; RESOLUTION OF BOARD OF COMMISSIONERS
 OF CHARLOTTE COUNTY DECLARING CHARLOTTE COUNTY SUBJECT
 TO PROVISIONS OF CHAPTER 367, F.S.

On December 12, 1994, this Commission received an application from Englewood Health Care Center for a non-jurisdictional exemption for wastewater service pursuant to Section 367.021(12), Florida Statutes. Staff has determined that Englewood Health Care Center meets the requirements for status as an entity providing service to tenants without specific compensation for the service provided in Section 367.021(12), Florida Statutes. The applicant is a corporation operating as an assisted living center and provides wastewater service solely in connection with its operations. There is no charge for providing utility service and all costs are treated or recovered as operational expenses. Water service is provided by city water lines, and wastewater service provided by an on site wastewater treatment plant.

The administrator of Englewood Health Care Center, Ms. Cheryl Johnson signed the application on behalf of Englewood Health Care Center. The service area is identified by the following description: Lot 11, less the West fifty feet thereof of Grove City Land Company Subdivision in Section Five, Township 41 South, Range 20 East, Charlotte County, Florida. The address of Englewood Health Care Center is 1111 Drury Lane, Englewood, Florida, 34224.

In summary, staff has determined that Englewood Health Care Center meets the necessary qualifications for a non-jurisdictional exemption pursuant to Section 367.021(12), Florida Statutes. The applicant stated that services are only in conjunction with its business operations. In addition, Ms. Johnson acknowledged Section 837.06, Florida Statutes, regarding false statements.

Staff further recommends that the order require Englewood Health Care Center to notify this Commission in any event of any change of circumstances or method of operation of its wastewater system. Furthermore, staff recommends this docket remain open for receiving other exemption requests.

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