



# Public Service Commission

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

**DATE:** January 20, 1995

**TO:** Evonne Sager, Division of Legal Services  
~~Division of Records and Reporting~~

**FROM:** Clay Zhang, <sup>C-2</sup> Division of Water and Wastewater *JC JW*

**RE:** Docket No. 941044-Resolution of Board of Commissioners of Charlotte County Declaring Charlotte County Subject to Provisions of Chapter 367, Florida Statutes - Request for Exemption for Provision of Water and Wastewater Service by Gasparilla Mobile Estates

On September 27, 1994, the Charlotte County Board of Commissioners adopted Resolution No. 94-195, pursuant to section 367.171, Florida Statutes, declaring the privately owned water and wastewater utilities in Charlotte subject to the provisions of Chapter 367, Florida Statutes, effective September 27, 1994. The Florida Public Service Commission received Charlotte County's resolution on September 30, 1994. Pursuant to Section 367.031, Florida Statutes, all utilities subject to the Commission's jurisdiction must obtain either a certificate to provide water and wastewater service or an order recognizing the exempt status of the system. On November 23, 1994, this Commission received an application from Gasparilla Mobile Estates for a landlord-tenant exemption pursuant to Section 367.022(5), Florida Statutes as a landlord providing service to its tenants. The primary mailing address is P.O. Box 56, 2001 Gasparilla Road, Placida, FL 33946, and the primary contact person is Mr. Harold Whitcomb.

The application was filed in accordance with Section 367.022(5), Florida Statutes and Rule 25-30.060(1), (2) and (3)(e), Florida Administrative Code. Included with the exemption application was a statement from Mr. Harold Whitcomb, President, which states that Gasparilla Mobile Estates provides utility services solely to its tenants, charges for utility services are nonspecifically contained in rental charges, the system provides water and wastewater services and the service area is limited to approximately one half mile northeast of Placida, Florida on Highway 771. In addition to the statements from Mr. Whitcomb, the application included a copy of the Gasparilla Mobile Estates' most recent version of a standard rental agreement.

The application acknowledged Section 837.06, Florida Statutes, regarding false statements.

Based on the above, an order should be issued with 30 days granting Gasparilla Mobile Estates' request for exemption pursuant to Section 367.022(5), Florida Statutes, as a landlord for the provision of water and wastewater service. In the event of any change of circumstances or method of operation of the water system, The Gasparilla Mobile Estates and its successor(s) in interest should be required to notify the Commission within thirty days of such change.

DOCUMENT NUMBER - DATE  
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