



## Public Service Commission

ORIGINAL  
FILE COPY

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

DATE: June 12, 1996

TO: Alice Crosby, Division of Legal Services  
Division of Records and ReportingFROM: Michael Todd Rebuck, Division of Water and Wastewater *Sam JMW*

RE: Docket No. 960620-WU, Application for Exemption from Florida Public Service Commission Regulation for Provision of Water Service in Marion County by M.T.K. Investments, Inc.

On May 17, 1996, a petition for non-jurisdictional exemption from regulation by the Florida Public Service Commission was filed on behalf of M.T.K. Investments, Inc. (M.T.K. Investments) pursuant to Section 367.021(12), Florida Statutes. M.T.K. Investments is owned by Mark A. Aller. The application was signed by Mr. Mark A. Aller as president of M.T.K. Investments and as primary contact person. The mailing address for M.T.K. and for Mr. Aller is P.O. Box 2815, Crystal River, Florida 34423 (352/344-8279). The physical address and service territory for M.T.K. is S.R. 200 & S.W. 80th Street, Ocala, Florida 34476. This location is in Marion County.

In accordance with Section 367.021(12), Florida Statutes, and Rule 25-30.060(30)(j), Florida Administrative code, Mr. Aller has signed a statement that M.T.K. Investments will provide water service without compensation and that all costs will be treated and recovered as operational expenses. Wastewater is intended to be handled by septic tank. By signing the application Mr. Aller has acknowledged that he is aware of the penalty pursuant to Section 837.06, Florida Statutes, for knowingly making false statements in writing with the intent to mislead.

Section 2.08(C)(14) of the Administrative Procedures Manual grants staff the administrative authority to approve requests for determination of exempt status that are clear-cut and without controversy. Staff finds the application in compliance with statutory requirements and without apparent controversy. Staff therefore recommends that an administrative order be issued finding M.T.K. Investments exempt from Commission regulation pursuant to Section 367.021(12), Florida Statutes.

Staff also recommends that the order require the current owner, or successors, of M.T.K. Investments to notify the Commission within 30 days of any change in circumstances or method of operation of its water or wastewater system so that the exempt status may be reevaluated. Furthermore, staff recommends that this docket be closed.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CTR \_\_\_\_\_  
 CTR \_\_\_\_\_  
 ETR \_\_\_\_\_  
 LE \_\_\_\_\_  
 LTR \_\_\_\_\_  
 LTR \_\_\_\_\_  
 PDS \_\_\_\_\_  
 SLS \_\_\_\_\_  
 WTS \_\_\_\_\_  
 OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

06440 JUN 13 96

FPSC-RECORDS/REPORTING