



Public Service Commission

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

DATE: September 12, 1996
TO: Division of Records and Reporting
 Division of Legal Services, Alice Crosby
FROM: Division of Water & Wastewater, J. Travis Coker *JTC BBTM*
RE: Docket No. 960588-WS; Request for exemption from Florida Public Service Commission regulation for provision of water and wastewater service in Orange County by Chateau Properties D/B/A Orange Lake Mobile Home Park.

On May 10, 1996, this Commission received an application from Chateau Properties D/B/A Orange Lake Mobile Home Park (Chateau or applicant) for a landlord-tenant exemption pursuant to Section 367.022(5), Florida Statutes, (F.S.) and Rule 25-30(3)(e), Florida Administrative Code, (F.A.C.). Staff has determined that Chateau meets the requirements for status as a service entity that will provide water and wastewater with no specific compensation as required in Section 367.022(8), Florida Statutes.

Staff has determined that Chateau meets the requirements for status as a landlord providing service to tenants without specific compensation for the service as provided in Section 367.022(5), Florida Statutes. The applicant is an incorporated entity, operating as a rental property business. Chateau will provide water and wastewater services solely for the use of its tenants without separate additional charges. Orange Lake Mobile Home Park is owned by Chateau Properties, Inc. Mr. Leon Pilgrim, Regional Property Manager of Chateau Properties, Inc. submitted a letter of authorization giving Mr. Robert Munro legal authority to act on behalf of the corporation. Mr. Munro, Utilities Director of Chateau Properties, Inc. signed the application on behalf of Chateau. In addition, Mr. Munro acknowledged Section 837.06, Florida Statutes, regarding false statements. Water service will be provided by a well, and wastewater service provided by an on-site wastewater treatment facility. The service area is identified by the following description: 15840 State Road 50, Clermont, Florida 34711. The mailing address of Chateau is 14205 East Colonial Drive, Orlando, Florida 32826.

In summary, staff has determined that Chateau meets the necessary qualifications for an exemption pursuant to Section 367.022(5), F.S. and Rule 25-30.060(3)(e), F.A.C. The applicant substantiated that services will be provided solely to its tenants. In addition, Mr. Munro acknowledged Section 837.06, Florida Statutes, regarding false statements.

Staff recommends that an administrative order be issued finding Chateau exempt from Commission regulation pursuant to Section 367.022(8), Florida Statutes. Staff further recommends that the order require Chateau to notify this Commission in the event of any change of circumstances or method of operation of its water system. Furthermore, staff recommends that this docket be closed.