

ORIGINAL  
FILE COPY

MEMORANDUM

June 5, 1997

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CROSBY) *JAS*  
DIVISION OF WATER AND WASTEWATER (XANDERS) *EX*

RE: DOCKET NO. ~~941044~~-WS - RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE COUNTY SUBJECT TO THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES - REQUEST FOR EXEMPTION FROM FLORIDA PUBLIC SERVICE COMMISSION JURISDICTION FOR PROVISION OF WASTEWATER SERVICE BY LEMON BAY BREEZES CONDOMINIUM ASSOCIATION, INC.

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Docket No. 941044-WS was opened to process applications for exemption filed by utilities in Charlotte County. On January 6, 1995, Lemon Bay Breezes Condominium Association, Inc. (Lemon Bay Breezes) filed an application for exemption from Commission regulation for the provision of wastewater service in Charlotte County, pursuant to Section 367.022(7), Florida Statutes. Subsequent to that time, Lemon Bay Breezes connected to Englewood Water District. By letter dated May 30, 1997 (attached), from Robert A. Dickinson, Attorney for Lemon Bay Breezes, Lemon Bay Breezes has requested to withdraw its application. As reason for the withdrawal, Mr. Dickinson has advised that the utility has connected to Englewood Water District. As Englewood Water District is a governmental entity, no further action can be taken and the file on Lemon Bay Breezes should be removed from Docket No. 941044-WS.

ACK      a/c  
AFA       
APP      Attachment  
CAF cc: Division of Water and Wastewater  
CMU      (Chase)  
CTR       
EAG       
LEG       
LIN       
OF       
RCH       
SEC   /    
WAS       
OTH     

DOCUMENT NUMBER-DATE

05680 JUN-95

FPSC-RECORDS/REPORTING

May 30, 1997

Alice Crosby, Paralegal  
Public Service Commission  
Capital Circle Office Center  
2540 Shurmond Oak Blvd.  
Tallahassee, FL 32399-0850

RE: Lemon Bay Breeze Condo. Association

File No. 94-1044-WS

Dear Ms. Crosby:

As you may be aware our firm represents Lemon Bay Breeze Condominium Association. Previously the condominium units received sewer service from the developer controlled "on-site" sewage treatment facility. In conformity with our prior correspondence the Condominium Association and unit owners entered into an agreement with Englewood Water District, a political subdivision of the State of Florida, for the transfer of its sewer service. I am now advised that the interconnection is complete and that all units of the Association are now being served by the Englewood Water District. Accordingly it is my understanding that the Association's prior application to establish a franchise under the Public Service Commission Rules is no longer necessary. Please accept this letter as confirmation of our intent to withdraw the application. Should you need any additional information concerning this matter please do not hesitate to contact me.

Very truly yours,



Robert A. Dickinson

RAD:bwm

cc Mr. Sullivan