

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by DEER LAKE R.V.	)	DOCKET NO. 890332-WS
RESC T for exemption from FPSC	)	ORDER NO. 21261
regulation for water and sewer	)	ISSUED: 5-19-89
facilities in Highlands County.	)	

ORDER INDICATING EXEMPT STATUS OF  
DEER LAKE R.V. RESORT

BY THE COMMISSION:

Deer Lake R.V. Resort (Deer Lake or the park) is a planned recreational vehicle park which will consist of some 399 lots in Highlands County, Florida. The lots will be rented on a daily, weekly, or monthly basis to the general public. Deer Lake's engineer advises that construction on the park, and its attendant water and sewage treatment facilities is scheduled to begin in July, 1989, or as soon thereafter as possible.

Prior to issuing a utility construction permit, the Department of Environmental Regulation (DER), pursuant to Section 367.031, Florida Statutes, requires a certificate from the Commission authorizing Deer Lake to provide utility service or proof of exemption from regulation by the Commission.

Therefore, on March 7, 1989, by way of letter and sworn affidavit, Deer Lake requested that we issue an acknowledgement to the DER that Deer Lake's proposed water and sewage treatment systems will be exempt from our regulation. Deer Lake's sworn affidavit specifically alleges that: 1) The water and sewage treatment plants are located on the grounds of the park, and such plants will provide water and sewer service to the tenants of the park only; 2) Deer Lake will not collect any specific charge from its tenants for water or sewer service; and, 3) Any compensation received by Deer Lake for water and sewer service will be nonspecifically contained in the tenants' periodic rental charges.

Section 367.022(5), Florida Statutes, provides that "Landlords providing service to their tenants without specific compensation for the service" are not subject to our regulation. On the facts as represented, we find the subject water and sewer systems to be exempt under Section 367.022(5), Florida Statutes.

It it, therefore,

ORDERED by the Florida Public Service Commission that based on the facts as represented, the water and sewer facilities owned by Deer Lake R.V. Resort, c/o Park Royal Inn, 100 U.S. Highway #1, Florida City, Florida 33034 are hereby exempt under Section 367.022(5), Florida Statutes. It is further

ORDERED that should there be any change in circumstances or method of operation of the subject water and sewer facilities, Deer Lake R.V. Resort or its successor(s) in interest, shall inform this Commission within thirty (30) days of such change so that we may determine whether our decision herein is still appropriate. It is further

DOCUMENT NUMBER-DATE

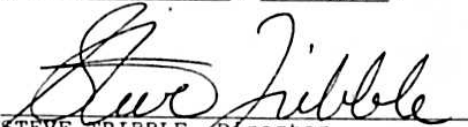
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FPSC-RECORDS/REPORTING

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ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission  
this 19th day of MAY, 1989.

  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

JRF