

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by WILDWOOD SUBDIVISION)	DOCKET NO. 890523-WU
for exemption from FPSC regulation for)	ORDER NO. 21324
a water facility in Marion County.)	ISSUED: 6-5-89

ORDER INDICATING THE EXEMPT STATUS OF
WILDWOOD SUBDIVISION

BY THE COMMISSION:

Wildwood Subdivision proposes to construct a facility that will provide water service to its subdivision. Pursuant to Section 367.031, Florida Statutes (1987), before the Department of Environmental Regulation (DER) will issue a construction permit, it requires either a certificate authorizing service or proof that the utility is not subject to the regulation of this Commission. Therefore, by letter and affidavit received April 17, 1989, Wildwood Subdivision (Wildwood) has requested recognition of the exempt status of its proposed water facility.

The affidavit, letter, and accompanying DER permit application show that Wildwood is a subdivision that will consist of twelve houses. The proposed water facility will have a capacity of 5,000 gallons per day in order to serve 42 persons.

As a matter of practice, upon request and sufficient proof, the Commission will issue an order indicating the exempt status of water or sewer facilities, if they qualify under the appropriate section of Chapter 367, Florida Statutes (1987). Wildwood requested recognition of the exempt status of its water facility under Section 367.022(6), Florida Statutes (1987).

Section 367.022(6), Florida Statutes (1987), states that systems with the capacity to serve 100 or fewer persons are exempt from Commission regulation. Based upon the facts as represented, we find that Wildwood is exempt from our regulation under the terms of Section 367.022(6), Florida Statutes (1987). However, should there be any change in circumstances or method of operation, the owner of Wildwood, or his successor(s) in interest, must inform the Commission within thirty days of such change, so that we may determine whether exempt status is still appropriate.

It is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Wildwood Subdivision's water facility is hereby exempt from Commission regulation pursuant to the terms of Section 367.022(6), Florida Statutes (1987). It is further

ORDERED that should there be any change in circumstances or method of operation of Wildwood Subdivision's water facility, the owner of Wildwood Subdivision or any successor in interest shall inform the Commission within thirty days of such change. It is further

ORDERED that this docket be closed.

DOCUMENT NUMBER-DATE

05583 JUN -5 1989

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By ORDER of the Florida Public Service Commission,
this 5th day of June, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

DCS

by: *Kay Flynn*
Chief, Bureau of Records