

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by LETTUCE LAKE) DOCKET NO. 890882-WS
CAMPGROUND for exemption from FPSC) ORDER NO. 21721
regulation for water and sewer systems) ISSUED: 8-11-89
in DeSoto County.)
_____)

ORDER INDICATING EXEMPT STATUS OF
LETTUCE LAKE CAMPGROUND

BY THE COMMISSION:

E. Clinch Kavanaugh is the owner and operator of Lettuce Lake Campground in DeSoto County. The Commission received a letter on July 12, 1989 from Christopher Lynch, P.E., containing an affidavit from Mr. Kavanaugh dated June 26, 1989. The purpose of the letter was to apply for an exemption of the water and wastewater treatment facilities serving the campground from regulation by the Commission.

In the affidavit submitted, Mr. Kavanaugh stated that Lettuce Lake Campground will provide water and sewer service to tenants of Lettuce Lake R.V. Campground; Lettuce Lake Campground will not collect any specific charge from its tenants for water and/or sewer service; Any compensation received for water and/or sewer service will be non-specifically contained in tenants' monthly rent; and The water and wastewater treatment facilities will be located on the grounds of Lettuce Lake Campground, and will provide service solely to tenants of Lettuce Lake Campground.

As a matter of practice, upon request and sufficient proof, the Commission will issue an order indicating the exempt status of water or sewer service, if it qualifies under the appropriate section of Chapter 367, Florida Statutes (1987). Lettuce Lake requested recognition of the exempt status of its water and sewer service under Section 367.022(4), Florida Statutes (1987).

Section 367.022(4), Florida Statutes, provides that "public lodging establishments providing service solely in connection with service to their guests, are not subject to our regulation." On the facts as represented, we find the subject entity to be exempt under Section 367.022(4), Florida Statutes.

It is, therefore

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ORDERED by the Florida Public Service Commission that, based on the facts as represented, the water and wastewater treatment facilities known as Lettuce Lake Campground, Lettuce Lake Road, Arcadia, DeSoto County, Florida, are hereby exempt from Commission regulation under Section 367.022(4), Florida Statutes. It is further

ORDERED that should there be any change in circumstances or method of operation of the subject water and wastewater treatment facilities, the owner of Lettuce Lake Campground or his 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

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission
this 11th day of AUGUST, 1989.



STEVE TRIBBLE, Director
Division of Records and Reporting

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