

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for exemption from ) DOCKET NO. 900343-SU  
Florida Public Service Commission ) ORDER NO. 23246  
regulation for a sewage treatment ) ISSUED: 7-23-90  
plant in Highlands County by Knots' )  
Landing Mobile Home Park. )  
\_\_\_\_\_)

ORDER INDICATING EXEMPT STATUS OF  
KNOTS' LANDING MOBILE HOME PARK

BY THE COMMISSION:

Knots' Landing Mobile Home Park (Knots' Landing) proposes to construct a wastewater treatment system to serve a mobile home park in Highlands County. The mobile home park will have a maximum of 195 lots.

On April 30, 1990, Knots' Landing filed an application for exemption from this Commission's regulation pursuant to the landlord-tenant exemption, Section 367.022(5), Florida Statutes. This section states that landlords who provide water and/or wastewater service to their tenants without collecting specific compensation for such service are exempt from regulation by this Commission. Knots' Landing filed a notarized affidavit stating that it will provide service solely to tenants of the mobile home park and that there will be no charge for the service.

On June 11, 1990, Knots' Landing filed a copy of the lease agreement it enters with its tenants. This lease provides that wastewater service is provided to the tenants at no charge.

On the facts as presented above, we find that Knots' Landing Mobile Home Park is exempt from this Commission's regulation pursuant to Section 367.022(5), Florida Statutes. However, should there be any change in circumstances or method of operation, Knots' Landing, or its successor(s) in interest, shall notify the Commission within thirty days of such change so that we may reevaluate its regulatory status.

Upon due consideration of the foregoing, it is

ORDERED by the Florida Public Service Commission that Knots' Landing Mobile Home Park is exempt from this Commission's regulation under Section 367.022(5), Florida Statutes, as a landlord providing wastewater service to its tenants without collecting specific compensation for such service. It is further

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ORDERED that should there be any change in circumstances or method of operation, Knots' Landing Mobile Home Park, or its successor(s) in interest, shall notify this Commission within thirty (30) days of such change so that we may reevaluate its regulatory status. It is further

ORDERED that Docket No. 900343-SU be and is hereby closed.

By ORDER of the Florida Public Service Commission  
this 23<sup>rd</sup> day of JULY, 1990.

  
\_\_\_\_\_  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ASD

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric,

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gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.