

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for exemption from )  
FPSC regulation for water and )  
wastewater services in Brevard County )  
by SKYVIEW MOBILE HOME PARK )  
\_\_\_\_\_ )

DOCKET NO. 900694-WS  
ORDER NO. 23627  
ISSUED: 10-16-90

ORDER INDICATING THE EXEMPT STATUS OF  
SKYVIEW MOBILE HOME PARK

BY THE COMMISSION:

Skyview Trailer Park (Skyview) provides water and wastewater service to a 50 lot mobile home park in Cocoa, Florida. Skyview purchases the services from the City of Cocoa and resells the services to the mobile home customers at a rate that does not exceed the rate charged to Skyview by the City of Cocoa. Each mobile home lot is individually metered. Skyview is billed for water and wastewater service through a master meter serving the entire park, and the park's bill is based on the consumption of the entire park.

Skyview has filed a jurisdictional information form, a legal description of the area served, recent rates and charges of the City of Cocoa, and an affidavit setting forth the reasons why it is exempt from FPSC regulation.

Upon request and sufficient proof, the Commission will issue an order indicating the nonjurisdictional or exempt status of water or wastewater facilities, if they qualify under the appropriate section of Chapter 367, Florida Statutes. Skyview requested recognition of its exempt status under Section 367.022(8), Florida Statutes, which states that any person who resells water or wastewater service at a rate or charge which does not exceed the actual purchase price thereof and who complies with certain reporting requirements is exempt from Commission regulation.

The information provided by Skyview shows that: (1) Skyview resells water and wastewater service to its tenants at rates that do not exceed the rates charged to it by the City of Cocoa and (2) Skyview acknowledges the reporting obligation under Rule 25-30.111, Florida Administrative Code. Based upon the facts as represented, we find that Skyview is exempt from our regulation under the terms of Section 367.022(8), Florida Statutes. However, should there be any change in the system's method of operation or billing procedures, the owner of Skyview, or any successor in interest, the Commission must be informed within thirty days of such change so that we may determine whether exempt status is still appropriate.

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It is, therefore

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Skyview Trailer Park located at 533 Bernard Street, Cocoa, Florida, 32922, is hereby exempt from Commission regulation pursuant to the terms of Section 367.022(8), Florida Statutes. It is further

ORDERED that applicant should comply with the filing requirements of Rule 25-30.111, Florida Administrative Code. It is further

ORDERED that should there be any change in the method of operation or billing procedure of Skyview in the course of its providing water and wastewater services, the owner of Skyview, or any successor in interest, shall inform the Commission within thirty days of such change. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission, this 16th  
day of OCTOBER, 1990.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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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, 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.