

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgement ) DOCKET NO. 910447-WU  
of corporate reorganization and name) ORDER NO. 25227  
change on Certificate No. 186-W in ) ISSUED: 10/18/91  
Clay County from Homer Custead, Inc.)  
to Ridgewood Water Company, Inc. )  
\_\_\_\_\_ )

ORDER INDICATING EXEMPT STATUS OF RIDGEWOOD WATER COMPANY, INC.  
AND CANCELING CERTIFICATE NO. 186-W

BY THE COMMISSION:

Homer Custead, Inc. (HCI) is a Class C utility that provides water service to a mobile home park located in Clay County, Florida. By letter and affidavit received August 30, 1991, Mr. Homer Custead filed a request to be exempted from our regulation.

Mr. Custead holds Certificate No. 186-W which was issued to HCI in 1974 by the Commission in Order No. 6257. However, in our review of the exemption request, we discovered that HCI has never existed as a corporation. HCI changed its name to Ridgewood Water Company, Inc. (Ridgewood) in 1982 without notifying the Commission. There was no change in ownership or majority control of HCI as a result of the name change.

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 provision of Chapter 367, Florida Statutes. Ridgewood requested recognition of the exempt status of its water system under Section 367.022(5), Florida Statutes. This section exempts landlords that provide service to tenants without collecting specific compensation.

The letter, affidavit, and accompanying information show that: Ridgewood provides water, but not wastewater, service solely to its tenants; the service area will be limited solely to the mobile home park; Ridgewood will not charge any specific charge for water service; any compensation received for water service will be nonspecifically included in the tenants' monthly rents; and the system's physical address is 733 Blanding Boulevard, Orange Park, Florida 32065-5788.

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Based upon the facts represented, we find that Ridgewood's water system is exempt from our regulation under the terms of Section 367.022(5), Florida Statutes. However, should there be any change in circumstances or method of operation, the owner of Ridgewood or any successor in interest must inform the Commission within thirty days of such change so that we may determine whether exempt status is still appropriate.

As a result of the exemption, we hereby cancel Certificate No. 186-W. Therefore, Ridgewood must return its original Certificate No. 186-W within thirty days of the date of this Order.

It is, therefore,

ORDERED by the Florida Public Service Commission that based on the facts as represented, Ridgewood Water Company, Inc.'s water system, located at 733 Blanding Boulevard, Orange Park, Florida 32065-5788, is 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 Ridgewood Water Company, Inc.'s system, the owner of Ridgewood Water Company, Inc. or any successor in interest shall inform this Commission within thirty days of such change. It is further

ORDERED that Certificate No. 186-W is hereby canceled. It is further

ORDERED that Certificate No. 186-W shall be returned to the Commission within thirty days of the date of this Order. It is further

ORDERED that this docket be closed.

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By ORDER of the Florida Public Service Commission, this  
18th day of OCTOBER, 1991.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

NRF

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.

M E M O R A N D U M

October 16, 1991

TO : DIVISION OF RECORDS AND REPORTING  
FROM : DIVISION OF LEGAL SERVICES (FRAZIER) *RFH*  
RE : DOCKET NO. 910447-WU - REQUEST FOR ACKNOWLEDGEMENT OF  
CORPORATE REORGANIZATION AND NAME CHANGE ON CERTIFICATE  
NO. 186-W IN CLAY COUNTY FROM HOMER CUSTEAD, INC. TO  
RIDGEWOOD WATER COMPANY, INC.

*25227*

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Attached is an Order Indicating Exempt Status of Ridgewood Water Company, Inc. and Canceling Certificate No. 186-W in the above-referenced docket, consisting of -3- pages, which is ready to be issued.

NRF/lp  
cc: Division of Water and Wastewater

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