

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for exemption) DOCKET NO. 920256-WS
from Florida Public Service) ORDER NO. PSC-92-0592-POF-WS
Commission regulation for) ISSUED: 06/30/92
provision of water and)
wastewater services by Collins)
Place Apartments in Duval)
County)
_____)

ORDER INDICATING THE EXEMPT STATUS
OF COLLINS PLACE APARTMENTS

BY THE COMMISSION:

Collins Place Apartments (Collins Place) is a new apartment complex located in Duval County. Collins Place provides water and wastewater services to a maximum of 184 units, and is owned by Flournoy Development Company. Martin Flournoy, Vice President of Flournoy Development Company, is the contact person and the mailing address is 900 Brookstone Centre Parkway, Post Office Box 6566, Columbus, Georgia 31995. Collins Place proposes to resell water and wastewater services at the same rate charged to it by Ortega Utility Company (Ortega), which provides water and wastewater services to Collins Place. When calculating tenants' water and wastewater bill, Collins Place proposes to pass along the base facility charge to the tenants by dividing the charge on a pro rata basis among the units in Collins Place. Each tenant will be charged for usage based on his or her meter reading. Collins Place will charge the usage rates of Ortega. Therefore, by letter and affidavit received March 18, 1992, Collins Place has requested recognition of the exempt status of its water and wastewater system.

Collins Place has filed a list of current rates and charges of Ortega; a schedule of Collins Place rates; a statement setting forth the reasons why it is exempt from Florida Public Service Commission regulation; and an explanation of the proposed method of billing customers, separately, for both water and wastewater.

Upon request and sufficient proof, the Commission will issue an order indicating the nonjurisdictional or exempt status of water and wastewater facilities, if the facilities qualify under the appropriate section of Chapter 367, Florida Statutes. Collins Place requested recognition of its exempt status under Section 367.022(8), Florida Statutes. Section 367.022(8), Florida Statutes, states that any person who resells water or wastewater

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By ORDER of the Florida Public Service Commission, this 30th
day of June, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

NRF

by: Kay Hagan
Chief, Bureau of Records

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.