

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Exemption) DOCKET NO. 941065-SU
from Florida Public Service) ORDER NO. PSC-95-0386-FOF-SU
Commission Regulation for) ISSUED: March 21, 1995
Provision of Wastewater Service)
in Citrus County by ATLANTIS)
ARMS, LTD.)
_____)

ORDER INDICATING EXEMPT STATUS OF
ATLANTIS ARMS, LTD. AND CLOSING DOCKET

BY THE COMMISSION:

On October 7, 1994, Atlantis Arms, Ltd. (Atlantis) filed an application with this Commission for recognition of its exempt status, pursuant to Section 367.022(2), Florida Statutes. Section 367.022(2) exempts from Commission regulation those systems owned, operated, managed, or controlled by governmental authorities. Atlantis, which is federally financed under the control of the U.S. Department of Agriculture, Farmers Home Administration, is located at 9826 W. Arms Drive in Crystal River, Florida. Mr. John Curtis, the primary contact person, filed the application on behalf of Atlantis. Mr. Curtis' address is 11635 NW 1st Avenue, Gainesville, Florida 32607.

The application was filed in accordance with Section 367.022(2), Florida Statutes, and Rule 25-30.060(3)(b), Florida Administrative Code. Included with the application was a statement that the system is owned, operated, managed, or controlled by U.S. Department of Agriculture, Farmers Home Administration; that it provides wastewater service; and that the service area is the Atlantis apartment complex. (Water service is provided by Ozello Water.)

In addition, pursuant to Section 837.06, Florida Statutes, and Rule 25-30.060(2)(f), Florida Administrative Code, anyone knowingly making a false statement in writing with the intent to mislead is guilty of a misdemeanor. By signing the application, Mr. Curtis acknowledged that he is aware of Section 837.06, Florida Statutes, and the penalties for making false statements in the application.

Based on the facts as represented, we find that Atlantis is exempt from our regulation pursuant to Section 367.022(2), Florida Statutes. In the event of any change of circumstances or method of operation, the owner of Atlantis or any successors in interest, must inform the Commission within 30 days of such change so its exempt status may be reevaluated.

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It is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Atlantis Arms, Ltd., 9826 W. Arms Drive, Crystal River, Florida 32629, is hereby exempt from Commission regulation pursuant to the provisions of Section 367.022(2), Florida Statutes. It is further

ORDERED that should there be any change in circumstances or method of operation, the owner of Atlantis Arms, Ltd. or any successors in interest shall inform this Commission within 30 days of such a change so that we may reevaluate Atlantis Arms, Ltd.'s exempt status. It is further

ORDERED that Docket No. 941065-SU is hereby closed.

By ORDER of the Florida Public Service Commission, this 21st day of March, 1995.

BLANCA S. BAYO, Director
Division of Records and Reporting

by: Kay Flynn

Chief, Bureau of Records

(S E A L)

MSN

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 wastewater 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.