

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of the Board of County Commissioners of Manatee County declaring Manatee County subject to the provisions of Chapter 367, F.S. - Request for exemption from Florida Public Service Commission jurisdiction for provision of wastewater service by Piney Point Phosphates, Inc.

DOCKET NO. 951235-WS  
ORDER NO. PSC-98-0219-FOF-WS  
ISSUED: February 4, 1998

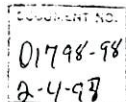
ORDER INDICATING EXEMPT STATUS OF  
PINEY POINT PHOSPHATES, INC.

BY THE COMMISSION:

On December 1, 1995, Piney Point Phosphates, Inc. (Piney Point) filed an application with this Commission for recognition of its exempt status, pursuant to Section 367.022(3), Florida Statutes. Piney Point is located at 13300 U.S. Highway 41 North, Palmetto, Manatee County, Florida. Mr. Ivan Nance, Corporate Environmental Manager, and primary contact person, filed the application on behalf of Piney Point.

Upon request and sufficient proof, the Commission will issue an order indicating the nonjurisdictional or exempt status of water or wastewater systems if they qualify under the appropriate provision of Chapter 367, Florida Statutes. The application was filed in accordance with Section 367.022(3), Florida Statutes, and Rule 25-30.060, Florida Administrative Code. According to Piney Point's application, wastewater service is provided solely in connection with its manufacturing operations, and the service area is limited to its property located at 13300 U.S. Highway 41 North, Palmetto, Florida. Water service is provided by Manatee County.

In addition, pursuant to Section 837.06, Florida Statutes, and 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. Nance acknowledged that he is aware of Section 837.06, Florida Statutes, and the penalties for making false statements in the application.



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longer qualify for exemption pursuant to Section 367.022, Florida Statutes, it should inform the Commission within 30 days of such change so that its status may be reevaluated.

It is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Piney Point Phosphates, Inc., 13300 U.S. Highway 41 North, Palmetto, Florida 34221-8662, is exempt from Commission regulation pursuant to the provisions of Section 367.022(3), Florida Statutes. It is further

ORDERED that this Docket shall remain open to process additional applications.

By ORDER of the Florida Public Service Commission this 4th day of February, 1998.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.