

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by LYKES CITRUS)	DOCKET NO. 881432-WU
MANAGEMENT DIVISION for exemption)	
from FPSC regulation for a water)	ORDER NO. 20597
system in Highlands County)	
-----)	ISSUED: 1-12-89

ORDER INDICATING EXEMPT STATUS OF
AGRICULTURE LABOR CAMP OWNED AND OPERATED BY
LYKES CITRUS MANAGEMENT DIVISION

BY THE COMMISSION:

By letter and affidavit, Lykes Citrus Management Division, of Lykes Bros., Inc. has requested recognition of the exempt status of its water utility which serves an agricultural labor camp it owns and operates in Highlands County. The affidavit states that water service is provided solely to the tenants of the camp without specific compensation for the service stated in the rent.

Pursuant to Section 367.031, Florida Statutes (1987), the Department of Environmental Regulation will not issue Lykes Citrus Management Division a permit for that water facility without either a certificate from us authorizing it to provide utility service or proof of exemption from regulation by us. As a matter of practice, upon request and sufficient proof, we will issue an order indicating the exempt status of water and sewer utilities for facilities which meet the requirements for a statutory exemption.

Section 367.022(5), Florida Statutes (1987), provides that the utility systems of "landlords providing service to their tenants without specific compensation for the service" are not subject to regulation by us. Under the facts as represented to us, we find that the subject water utility is exempt under Section 367.022(5), Florida Statutes (1987).

It is, therefore,

ORDERED by the Florida Public Service Commission that based upon the letter and affidavit submitted by Lykes Citrus Management Division, of Lykes Bros. Inc., whose mailing address is 7 Lykes Road, Lake Placid, Florida 33852, the water utility for the subject agricultural labor camp is exempt under Section 367.022(5), Florida Statutes (1987). It is further

ORDERED that should there be any change in circumstances or method of operation of the utility, Lykes Citrus Management Division, of Lykes Bros. Inc., or any succeeding owner of the camp shall inform us within thirty days so that a determination may be made whether exempt status is still appropriate. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission,
 this 12th day of January, 1989.

 STEVE TRIBBLE, Director
 DIVISION OF RECORDS AND REPORTING

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DOCUMENT NUMBER-DATE
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by: Kay Flynn
 Chief, Bureau of Records