

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request of the BROMLEY GROUP,) DOCKET NO. 881495-WS
 INC., for determination of exemption)
 from FPSC jurisdiction of a water and) ORDER NO. 20719
 sewer utility in Pasco County)
) ISSUED: 2-9-89

ORDER INDICATING NON-JURISDICTIONAL
 STATUS OF THE BROMLEY GROUP, INC.

The Bromley Group, Inc., ("Group"), is developing a multi-use development known as Blackberry Lakes in Pasco County. In order to meet the needs of its development, the Group plans to construct water and sewer facilities. On November 18, 1988, the Group requested that these facilities be found exempt from this Commission's jurisdiction. In support of this request, the Group submitted an affidavit, signed by the president of the Group.

Section 367.021(3), Florida Statutes, excludes facilities which do not serve the public for compensation from the definition of a utility subject to the jurisdiction of this Commission. The affidavit states that the water and sewage facilities are located on the grounds of the Group, that water and sewage service will be provided solely to meet the needs of its operation, that the Group will not charge any customers for water and sewer service, and that all costs of providing service are treated as operational expenses of the Group.

Upon consideration of the foregoing, we find that the above described water and sewer service is removed from our jurisdiction under the terms of Section 367.021(3), Florida Statutes. However, should there be any change in circumstances or method of operation, the president of the Bromley Group, Inc., or his successor in interest, must inform this Commission within thirty (30) days of such change so that we may determine whether exempt status is still appropriate.

WHEREFORE, in consideration of the foregoing, it is,

ORDERED by the Florida Public Service Commission that the water and sewage service provided to the Bromley Group, Inc., as described herein, is not a utility as defined by Section 367.021(3), Florida Statutes, and is not subject to the jurisdiction of this Commission. It is further

ORDERED that should there be any change in circumstances or method of operation, the president of the Bromley Group, Inc., or his successor in interest, must inform this Commission within thirty (30) days of such change so that we may determine whether exempt status is still appropriate. It is further

ORDERED that Docket No. 881495-WS is hereby closed.

By ORDER of the Florida Public Service Commission
 this 9th day of FEBRUARY, 1989.


 STEVE TRIBBLE, Director
 Division of Records & Reporting

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