

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by CAMP FLORIDA RESORT)	DOCKET NO. 881608-WS
UTILITY ASSOCIATION, INC. for exemption)	
from FPSC regulation of water and sewer)	ORDER NO. 20905
facilities in Highlands County.)	
_____)	ISSUED: 3-16-89

ORDER INDICATING THE EXEMPT STATUS OF
CAMP FLORIDA RESORT UTILITY ASSOCIATION, INC.

BY THE COMMISSION:

Lake Placid Camp Florida Resort, Inc. (Lake Placid) is a recreational vehicle and camping resort that will be constructed in Highlands County. In order to meet the needs of Lake Placid, the developer intends to construct water and wastewater facilities, for which it needs construction permits from the Department of Environmental Regulation (DER). Pursuant to Section 367.031, Florida Statutes, before DER will issue construction permits, it requires either certificates authorizing service or proof that the entity is exempt from this Commission's regulation.

By letter dated December 27, 1988, Lake Placid requested that Camp Florida Resort Utility Association, Inc. (Utility Association), a wholly owned subsidiary of Lake Placid, be found exempt from the regulation of the Commission. Attached to this letter was an affidavit reciting the facts upon which the Utility Association's asserted status is based.

Pursuant to Section 367.022(4), Florida Statutes, public lodging establishments which provide water and/or wastewater service solely in connection with service to their guests are exempt from the regulation of this Commission. According to the affidavit, water and wastewater service will be provided exclusively for the use of the occupants of the resort. There will be no charge for such services as the costs of these services will be included in the rental fees.

Based upon the facts as prescribed herein, we find that the Utility Association will be exempt from the regulation of this Commission under the public lodging establishment exemption, Section 367.022(4), Florida Statutes. However, should there be any change in circumstances or method of operation, the Utility Association, or its successor(s) in interest, shall inform this Commission within thirty days of such change so that we may reevaluate its regulatory status.

It is, accordingly,

ORDERED by the Florida Public Service Commission that Camp Florida Resort Utility Association, Inc. will be exempt from the regulation of this Commission under Section 367.022(4), Florida Statutes, as a public lodging establishment providing service solely in connection with service to its guests. It is further

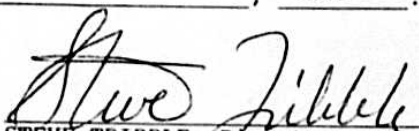
ORDERED that, should there be any change in circumstances or method of operation, Camp Florida Resort Utility Association, Inc., or its successor(s) in interest, shall inform this Commission within thirty (30) days of such change so that we may reevaluate its regulatory status. It is further

ORDERED that Docket No. 881608-WS be and is hereby closed.

DOCUMENT NUMBER-DATE
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By ORDER of the Florida Public Service Commission,
this 16th day of MARCH, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

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