

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Exemption)	DOCKET NO. 921272-WU
From Florida Public Service)	ORDER NO. PSC-93-0267-FOF-WU
Commission Regulation for)	ISSUED: 02/22/93
Provision of Water Service)	
in Okaloosa County by)	
Louisiana-Pacific Corpora-)	
tion/Crestview Sawmill)	
_____)	

ORDER INDICATING EXEMPT STATUS OF LOUISIANA-PACIFIC CORPORATION/CRESTVIEW SAWMILL AND CLOSING DOCKET

BY THE COMMISSION:

On December 18, 1992, Louisiana-Pacific Corporation/Crestview Sawmill (Louisiana or applicant) filed an application with this Commission for recognition of its exempt status, pursuant to Section 367.022(3), Florida Statutes. The applicant is a sawmill located nine miles west of Crestview, with a mailing address of P.O. Box 1267, Crestview, Florida. Dr. J. Scott Ziesenis, who was authorized by Louisiana to be its agent and primary contact person, filed the application on behalf of the applicant. Dr. Ziesenis' address is P. O. Box 3107, Conroe, Texas 77305.

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 Rules 25-30.060 (1), (2) and (3)(c), Florida Administrative Code. Section 367.022(3), Florida Statutes, states, in part, that "[m]anufacturers providing service solely in connection with their operations are exempt." In accordance with Rule 25-30.060 (3) (c), Florida Administrative Code, Louisiana's application states water service is provided solely in connection with its operations and the service area is the sawmill location. Wastewater service is provided by septic tank.

In addition, the application form states that pursuant to Section 837.06, Florida Statutes, anyone knowingly making a false statement in writing with the intent to mislead is guilty of a misdemeanor. By signing the application, Dr. Ziesenis acknowledged that he is aware of Section 837.06, Florida Statutes, and the penalties for making false statements in the application.

DOCUMENT NUMBER-DATE

02045 FEB 22 93

PSC-REGISTRATION/REGISTRATION

Based on the facts as represented, we find that Louisiana-Pacific Corporation/Crestview Sawmill is exempt from Commission regulation as a manufacturer pursuant to Section 367.022(3), Florida Statutes. In the event of any change of circumstances or method of operation, the owner of the sawmill or any successors in interest, must inform the Commission within 30 days of such change so its exempt status may be reevaluated.

It is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Louisiana Pacific Corporation/Crestview Sawmill, is hereby exempt from Commission regulation pursuant to the provisions of Section 367.022(3), Florida Statutes. It is further

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

ORDERED that this Docket is hereby closed.

By ORDER of the Florida Public Service Commission this 22nd day of February, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

SLE

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