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DATE: January 7, 1995
TO: DIVISION OF LEGAL SERVICES (SAGER)
~~DIVISION OF RECORDS AND REPORTING~~

FROM: GERALD D. EDWARDS, DIVISION WATER AND WASTEWATER *JE* *6612/11*

RE: DOCKET NO. 941044-SU; RESOLUTION OF BOARD OF COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE COUNTY SUBJECT TO PROVISIONS OF CHAPTER 367, F.S.- REQUEST FOR EXEMPTION FOR PROVISION OF WASTEWATER SERVICE BY PARK POINTE, INC.

In accordance with Chapter 367.022(5), Florida Statutes, "landlords providing service to their tenants without specific compensation for the service" are not subject to regulation by the Commission. On February 6, 1995, the president of the Park Point, Inc. (trailer park) applied for a Landlord-Tenant Exemption for its wastewater system as provided for in Section 367.022(5), Florida Statutes. The owner and primary contact person is Mr. Eugene Mosco. Mr. Mosco's and Park Pointe, Inc.'s mailing address is 7500 Park Pointe Drive, Englewood, Florida, 34224. Wastewater service will be provided only to the tenants of Park Pointe, Inc. by the applicant. Water service will be provided by Englewood Water District and wastewater service will be provided by Park Pointe, Inc.'s small wastewater treatment system.

This application is in compliance with Section 367.022(5), Florida Statutes, and Rules 25-30.060(3)(e), Florida Administrative Code. The following items were included in the application:

- ACK _____ (1) *A statement from the landlord indicating that water and wastewater services would be provided solely to tenants, and that charges for services are non-specifically contained in rental charges.*
- AEA _____
- AIR _____
- C _____ (2) *A copy of the lease.*
- CM _____ (3) *Mr. Mosco's signature denoting acknowledgement of Section 837.06, Florida Statutes regarding false statements.*
- C _____

EDG _____
LEL _____ Pursuant to Section 208(C)(14) Administrative Procedures Manual, staff has been given administrative authority to approve clear-cut or non-controversial requests for determination of exempt status. Staff recommends that an administrative order be issued as soon as possible finding Park Pointe, Inc. exempt from Commission regulation pursuant to Section 367.022(5), Florida Statutes. In addition, staff recommends that the order require Park Pointe, Inc. to notify this Commission of any change of circumstances or method of operation pertaining to its wastewater system.
LIR _____
OPC _____
RCH _____
SEC _____

WAS _____
OTH _____

cc: Charles H. Hill

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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