

State of Florida

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DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(904) 487-2740

Public Service Commission

March 2, 1995

Mr. Robert M.C. Rose, P.A.
2548 Blairstone Pines Drive
Tallahassee, Florida 32301

RE: DOCKET NO. 941044-WS; RESOLUTION OF BOARD OF COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE COUNTY SUBJECT TO THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES - REQUEST FOR EXEMPTION FROM FLORIDA PUBLIC SERVICE COMMISSION FOR PROVISION OF WATER AND WASTEWATER SERVICE BY EL JOBEAN WATER ASSOCIATION, INC.

Mr. Rose:

Staff has reviewed your application for a non-profit exemption and determined that in order to comply with Section 367.022(7), Florida Statutes, more information is needed:

- ACK _____
 - AFA _____
 - APP _____
 - CAF _____
 - CMU _____
 - CTR _____
 - EAG _____
 - LEG _____
 - LIN _____
 - OPC _____
 - RCH _____
 - SEC 1 2 _____
 - WAS _____
 - OTH _____
1. Per your response dated January 23, 1995, you indicate that El Jobean Water Association does in fact own a system, as defined by Chapter 367.021(11), Florida Statutes, but does not own any water treatment facilities. Section 367.021(11), Florida Statutes, defines "system" as "... facilities and land used or useful in providing service...". Please provide:
- a. information as to who treats the water.
 - b. more specific information as to what facilities and land El Jobean owns as defined by Section 367.021(11), Florida Statutes.
 - c. proof of ownership of the facilities and land pursuant to Rule 25-30.060(3)(g).
2. Does El Jobean have a Bulk Service Agreement with Charlotte County?

DOCUMENT NUMBER-DATE

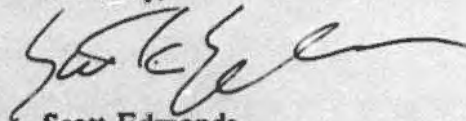
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3. Your response dated January 23, 1995, states that El Jobean Water Association, Inc. is not an association of the type created by a developer in which the developer owns and controls the non-profit corporation from the inception. Therefore, please provide an affidavit stating that there is not nor has ever been a developer involved with El Jobean Water Association, and that it was created solely to be a utility.

As previously stated in Ms. Azpell's letter dated January 12, 1995, it is the intention of the Public Service Commission to expedite requests for exemption. However, the above requested information is needed to complete the non-profit exemption pursuant to Section 367.022(7), Florida Statutes. Please submit the original and two copies of the requested information by March 22, 1995, to the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida, 32399-0850. Should you have any further questions, please do not hesitate to give me a call at 487-2740.

Sincerely,



Scott Edmonds
Staff Attorney

cc: Charles H. Hill, Director, Division of Water & Wastewater
Angela Massey-Azpell, Division of Water & Wastewater
Division of Records and Reporting