

MEMORANDUM

December 20, 1995

TO: ALICE CROSBY, DIVISION OF LEGAL SERVICES
DIVISION OF RECORDS AND REPORTING

FROM: CHRISTINE TOMLINSON, DIVISION OF WATER AND WASTEWATER *CT*

RE: DOCKET NO. 941044-WS; RESOLUTION OF BOARD OF
COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE
COUNTY SUBJECT TO PROVISIONS OF CHAPTER 367, FLORIDA
STATUTES - REQUEST FOR EXEMPTION FOR PROVISION OF WATER
AND WASTEWATER SERVICE BY RIVERWOOD. *BBM*
FDW

On September 27, 1994, the Board of County Commissioners of Charlotte County adopted Resolution No. 94-195, pursuant to Section 367.171, Florida Statutes, declaring that as of September 27, 1994, the water and wastewater utilities in that County shall become subject to the provision of the Water and Wastewater Regulatory Law, Chapter 367, Florida Statutes. The resolution was acknowledged by this Commission on November 28, 1994, by Order No. PSC-94-1451-FOF-WS. Pursuant to Section 367.131, Florida Statutes, a utility subject to the jurisdiction of this Commission must obtain a certificate of authorization or an order recognizing the exempt status of the system.

On October 23, 1995, this Commission received an application from Riverwood (utility) for a governmental authority exemption pursuant to Section 367.022(2), Florida Statutes and Rule 25-30.060(3)(b), Florida Administrative Code. Riverwood is a political subdivision created under Chapter 190 of the Florida Statutes. Riverwood will own, operate, and manage the water and wastewater system located at the Riverwood Community Development District. The service territory is the Riverwood Community Development at 4100 Riverwood Drive, Port Charlotte, Florida 33953. The primary contact person for Riverwood is Mr. Gary Moyer, Manager, 10300 NW 11 Manor, Coral Springs, Florida 33071.

The application was filed in accordance with Section 367.022(2), Florida Statutes, and Rules 25-30.060(3)(b), Florida Administrative Code. Included with the exemption application was a statement setting out statutory and factual basis for the exemption.

According to Section 21.08(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 Riverwood exempt from Commission regulation pursuant to Section 367.022(2), Florida Statutes. Staff

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further recommends that the order require Riverwood to notify this Commission in the event of any change of circumstances or method of operation of its water system. Furthermore, staff recommends that this docket be closed.

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