



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 16, 1996

TO: Division of Records and Reporting
Division of Legal Services, Alice Crosby

FROM: Division of Water & Wastewater, J. Travis Coker *JTC BEM JAW*

RE: DOCKET NO. 960138-WU; Request for exemption from Florida Public Service Commission regulation for provision of water service in Levy County by Fantelli RV Park.

On February 7, 1996, Mr. Roy J. Fantelli filed an application on behalf of Fantelli RV Park for an exemption as a water service provider from the Florida Public Service Commission under Section 367.022 (4), Florida Statutes and Rule 25-30.060(3)(d), Florida Administrative Code as an exempt public lodging entity. Fantelli RV Park is a business entity with rental sites for recreational vehicles operating as a sole proprietorship. The location of the water system is 3239 U.S. Highway 19 North, Inglis, Florida, 34449. The mailing address is the same as the above address. The water system serves only the rental lots for recreational vehicles. Mr. Fantelli, owner of Fantelli RV Park, will remain as the contact person for Commission purposes. Water service is provided by a well. Wastewater service is provided by a septic tank.

In its applications, Fantelli RV Park states it provides water service solely for the use of its tenants and there is no specific charge for providing utility service. Additionally, all costs of providing service are treated or recovered as operational expenses. Fantelli RV Park is recognized as qualifying for a public lodging exemption due to short term rentals. The applicant acknowledged Section 837.06, Florida Statutes, regarding false statements.

Based upon the facts presented herein, staff believes Fantelli RV Park is exempt from Commission regulation as a water service provider as defined by the previously mentioned sections of Florida Statutes. Section 2.08(C)(14) of the Administrative Procedures Manual (APM) gives staff the administrative authority to approve requests for exempt status when the application is clear-cut and without controversy.

Staff recommends that an administrative order be issued within 30 days indicating the exempt status of Fantelli RV Park. The order should provide that in the event of any change of circumstances or method of operation, Fantelli RV Park, or its successor(s) in interest should notify the Commission within thirty days of such change so that its exempt status may be reevaluated.

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