

MEMORANDUM

February 22, 1996

**TO: MICHAEL REBUCK, DIVISION OF LEGAL SERVICES
DIVISION OF RECORDS AND REPORTING**

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

RE: DOCKET NO. 951235-WS; RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY DECLARING MANATEE COUNTY SUBJECT TO THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES - REQUEST FOR EXEMPTION FOR PROVISION OF WATER AND WASTEWATER SERVICE BY SUNNY ACRES MOBILE HOME PARK.

On October 10, 1995, the Board of County Commissioners of Manatee County adopted Resolution No. R-95-109, pursuant to Section 367.171, Florida Statutes, declaring that as of October 10, 1995, 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 9, 1995, by Order No. PSC-95-1393-POF-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 December 4, 1995, this Commission received an application from Sunny Acres Mobile Home Park (Sunny Acres or utility) for a landlord-tenant exemption pursuant to Section 367.022(5), Florida Statutes and Rule 25-30.060(3)(e), Florida Administrative Code. The primary contact person for Sunny Acres is Mr. Bruce Lafrenz. **ACK** The mailing address for the above contact person is P.O. Box 494, Anna Maria, Florida 34216. The physical and mailing address for the utility is 5210 14th Street West, Bradenton, Florida 34207. **AFA** The utility, located in Manatee County, will provide water and wastewater service solely to its tenants. **APP** **CAF**

CMU The applicant, operating as a sole proprietor, has filed in accordance with Section 367.022(5), Florida Statutes, and Rules 25-30.060(3)(e), Florida Administrative Code. In addition, the applicant acknowledged Section 837.06, Florida Statutes, regarding false statements. A copy of the landlord's most recent version of a standard lease was included with the application. A statement that there are no additional charges for water and wastewater; charges for this service are non-specifically contained in rental charges; and the service territory is limited to 5210 14th Street West, Bradenton, Florida 34207, Sunny Acres Mobile Home Park, was included in the application. Based on the information provided, it is the recommendation of Staff that Sunny Acres be granted a certificate of exemption for the utility located at 5210 14th **CTR** **FAG** **LEG** **UT** **WAS** **OTH**

DOCUMENT DATE

02462 FEB 28 96

FPS DIVISION OF RECORDS AND REPORTING

Street West, Bradenton, Florida 34207, pursuant to Section 367.021(5), Florida Statutes.

According to Section 2.08(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 Sunny Acres Mobile Home Park exempt from Commission regulation pursuant to Section 367.022(5), Florida Statutes. Staff further recommends that the order require Sunny Acres Mobile Home Park to notify this Commission in the event of any change of circumstances or method of operation of its water and/or wastewater system. Furthermore, Staff recommends that this docket remain open.

c:\wp\sunny.rec