

Public Service Commission

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

DATE: March 4, 1996

TO: Alice Crosby, Division of Legal Services

FROM: Pat Brady, Division of Water and Wastewater

Docket No. 951235-WS, Resolution of the Board of County Commissioners of RE: Manatee County declaring Manatee County subject to the provisions of Chapter

367. Florida Statutes - Request for exemption for provision of water service by

Manatee Oil Distributors, Inc.

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 provisions 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-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 March 1, 1996, a revised petition for landlord-tenant exemption from regulation by the Florida Public Service Commission was filed on behalf of Manatee Oil Distributors, Inc., (Manatee Oil) pursuant to Section 367.022(5), Florida Statutes. The application was signed by Mr. Ralph E. Regal who is the owner and sole proprietor of Manatee Oil which owns the property and well system at 835 - 301 Boulevard East, Bradenton, Florida 34208. Wastewater service is provided to the property by the County. The mailing address for Manatee Oil and the primary contact, Mr. Ryan Regal, is Box 70, Bradenton, Florida 34206 (941/730-2680).

In accordance with Section 367.022(5), Florida Statutes, and Rules 25-30.060(1), (2), and (3)(e), Florida Administrative Code, Mr. Regal filed a statement that the water services will be provided solely to tenants and that the charge for such services will be nonspecifically contained in the rental agreement. Currently the property is being rented month-to-month to Action Tire & Road Service, Inc. Mr. Regal stated that there is only a verbal lease. By signing the application, Mr. Regal has acknowledged that he is aware of the penalty pursuant to Section 837.06, Florida Statutes, for knowingly making false statements in writing with the intent to mislead.

Section 2.08(C)(14) of the Administrative Procedures Manual grants staff the administrative authority to approve requests for determination of exempt status that are clear-cut and without controversy. Staff, therefore, recommends that an administrative order be issued finding Manatee Oil Distributors, Inc., exempt from Compaission regulation DATE pursuant to Section 367.022(5), Florida Statutes. 02866 MAR-7%

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Staff recommends that the order require the current owner, or successors, of Manatee Oil to notify the Commission within 30 days of any change in circumstances or method of operation of the water system at 835 - 301 Boulevard East in Bradenton, Florida so that its exempt status may be reevaluated.

The docket should remain open to process additional applications resulting from Resolution No. R-95-109 by the Board of Council Commissioners of Manatee County.

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1/16/96 CORPORATE DETAIL RECORD SCREEN 4:06 Pl

NUM: 218727 ST:PL ACTIVE/FL PROFIT FLD: 01/01/1959 LAST: REINSTATEMENT FLD: 11/03/1989

FEI#: 59-0860821

NAME : MANATEE OIL DISTRIBUTORS, INC.

PRINCIPAL: 1101 9TH AVE E CHANGED: 01/06/83

ADDRESS BOX 70

BRADENTON, FL 34208-2143

RA NAME : REGAL, RALPH F

RA ADDR : 5415 8TH AVE DR W

BRADENTON, FL 33505

ANN REP : (1993) BY 05/01/93 (1994) B 05/01/94 (1995) BY 06/13/95

1/16/96 OFFICER/DIRECTOR DETAIL SCREEN 4:06 PM

CORP NUMBER: 218727 CORP NAME: MANATEE OIL DISTRIBUTORS, INC.

TITLE: PD NAME: REGAL, RYAN W

2111 72ND ST CIR W

BRADENTON, FL,

TITLE: VS NAME: THOMSEN, ROBIN ANN

1101 9TH AVE. E.

BRADENTON, FL,

TITLE: D NAME: REGAL, RALPE E

5415 8TH AVE DR W

BRADENTON, FL,

TITLE: DT NAME: REGAL, NANCY W

5415 8TH AVE DR W

BRADENTON, FL,

(1 E N. F.)

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1/16/96 CORPORATE DETAIL RECORD SCREEN 4:05 Pl

NUM: S52084 ST:FL ACTIVE/FL PROFIT FLD: 05/10/1991

FEI#: 65-0263283

NAME : ACTION TIRE & ROAD SERVICE, INC.

PRINCIPAL: 835 U. S. HWY CHANGED: 04/26/94

ADDRESS 301 BLVD. E

BRADENTON, FL 34203 US

MAILING : 835 U.S. HWY CHANGED: 04/26/94

ADDRESS 301 BLVD. EAST

BRADENTON, FL 34203 US

RA NAME : KOACH, KRAIG

RA ADDR : 240 WASHINGTON BLVD. N.

SARASOTA, FL 34237

ANN REP : (1993) BY 06/21/93 (1994) BY 04/26/94 (1995) B 05/01/95

1/16/96 OFFICER/DIRECTOR DETAIL SCREEN 4:06 PI

CORP NUMBER: S52084 CORP NAME: ACTION TIRE & ROAD SERVICE, INC.

. . .

TITLE: P NAME: RODRIGUEZ, JULIO LUIS

5704 SR-64 EAST BRADENTON, FL