

MEMORANDUM

April 8, 1996

TO : DIVISION OF LEGAL SERVICES (AGARWAL)  
DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF WATER AND WASTEWATER (EDWARDS) *JE JW*

RE : DOCKET NO. 960061-WU; REQUEST FOR EXEMPTION FROM FLORIDA  
PUBLIC SERVICE COMMISSION REGULATION FOR PROVISION OF  
WATER SERVICE IN CITRUS COUNTY BY ROSKO MANOR MOBILE HOME  
PARK.

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In accordance with Chapter 367.031, Florida Statutes (F.S.), "Each utility subject to the jurisdiction of the commission must obtain from the commission a certificate of authorization to provide water or wastewater service or an order recognizing that the system is exempt from regulation as provides by s. 367.022." On January 17, 1996, Rosko Manor Mobile Home Park (Rosko Manor or applicant), applied for an exemption for a water facility from the Florida Public Service Commission under Section 367.022 (6), Florida Statutes, a small system exemption. The applicant's physical address and mailing address is 8400 East Rosko Ct, Floral City, Florida, 34436. Mr. Gabriel Rosko is the owner and primary contact person. Mr. Rosko's mailing address is the same as referenced above.

Water service will be provided solely to Rosko Manor and wastewater service is provided by individual septic tanks. Rosko Manor provided a copy of a letter from the State of Florida Department of Health and Rehabilitative Services (HRS) which stated: "Rosko Manor's water system is permitted by HRS-Citrus County Public Health Unit and is a 10D-4 Limited use Commercial Water System." The applicant's water system is too small for the Department of Environmental Protection to regulate and Mr. Charles Bradley (Environmental Manager of the Citrus County Health Unit) indicated that the applicant had reduced the number of customers served to four (4) connection which would make it too small to be regulated by HRS. Rosko Manor stated, in the application, that its water treatment system has the capacity to serve one hundred (100) or fewer persons as defined in Rule 25-30.053, Florida Administrative Code. In addition, the applicant acknowledged Section 837.06, Florida Statutes, regarding false statements.

Based upon the facts presented herein, staff believes Rosko Manor Mobile Home Park's water system is exempt as defined by Section 367.022(6), F.S., and Rule 25-30.060(3)(f), Florida Administrative Code. Section 2.07(C)(14) of the Administrative Procedures Manual (APM) gives staff the administrative authority to

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approve requests for determination of exempt status that are clear-cut and without controversy. Staff request that an administrative order be issued as soon as possible indicating the exempt status of Rosko Manor Mobile Home Park for water service. The order should provide that in the event of any change of circumstances or method of operation, Rosko Manor Mobile Home 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.

cc: Charles H. Hill