

Unlimited
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M E M O R A N D U M

October 15, 1996

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

FROM : MARTHA GOLDEN, DIVISION OF WATER AND WASTEWATER *made by*

RE : DOCKET NO. 960765-WU - REQUEST FOR EXEMPTION FROM FLORIDA
 PUBLIC SERVICE COMMISSION REGULATION FOR PROVISION OF
 WATER SERVICE IN MARION COUNTY BY JOHN E. FABIAN, JR.
 (INTERSTATE AUCTION UNLIMITED)

On June 24, 1996, this Commission received an application from Interstate Auction Unlimited for a non-jurisdictional exemption pursuant to Section 367.021(12), Florida Statutes. Mr. John E. Fabian, Jr., owner and primary contact person, filed the application on behalf of Interstate Auction Unlimited.

From a review of the application, it was determined that Interstate Auction Unlimited has not registered its fictitious name with the Secretary of State. Therefore, the applicant for the exemption is actually the owner, Mr. John E. Fabian, Jr. The mailing address for Mr. Fabian and the utility is 5508 SE 8th Street, Ocala, Florida 34471. The utility's physical address is 540 SW 38th Avenue, Ocala, Florida.

The applicant, operating as a sole proprietor, has filed in accordance with Section 367.021(12), Florida Statutes, and Rules 25-30.060(1), (2), and (3)(j), Florida Administrative Code. The applicant will be providing food service at a flea market. Included with the application was a statement that there is no charge for providing water service, and all costs of providing service are treated or recovered as operational expenses. Water service is provided by a well, and wastewater service is provided by septic tank. Additionally, the applicant acknowledged Section 367.06, Florida Statutes, regarding false statements.

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Based on the above, an administrative order should be issued as soon as possible approving Mr. John E. Fabian, Jr.'s application for exemption pursuant to Section 367.021(12), Florida Statutes. In the event of any change of circumstances or method of operation, Mr. Fabian, as owner of the system, or any successors in interest, should be ordered to notify the Commission within thirty days of such change so that its exempt status may be reevaluated. Additionally, staff recommends that this docket should be closed.

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