

State of Florida



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11 DEC -6 PM 3:30

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

DATE: December 6, 2011
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Thomas J. Walden, Utilities System/Engineering Specialist, Division of Economic Regulation
RE: Docket No. 110216-WU; Application for amendment of Certificate No. 347-W to delete territory in Marion County by Marion Utilities, Inc.

Attached are two documents to include in the docket file:

1. A letter dated December 1, 2011 from Pro-Tech, stating that Pro-Tech began operating the water system for International Villas effective November 1, 2011 which should be included as a filing in the docket file;
2. A letter to Kathy Ortiz with International Villas from Patti Daniel informing Ms. Ortiz that the International Villas water system is exempt from PSC regulation to be included in the correspondence side of the docket file.

TW
attachments

DOCUMENT NUMBER DATE

08794 DEC-6 =

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PRO-TECH

1203 SW 12TH STREET, SUITE 1
OCALA, FLORIDA 34472

PHONE: (352) 236-2444 * FAX: (352) 236-2118

December 1, 2011

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

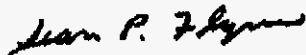
RE: Marion Utilities' Previous Customer
International Villas
PWS ID 6424589
5000 SW 21 Place
Ocala, FL 34474

To whom it may concern:

The purpose of this letter is to confirm that the operations for the water system located at International Villas (PWS ID 6424589) was taken over by Pro-Tech Water & Wastewater effective November 1, 2011.

Please feel free to contact me if you have any questions.

Sincerely,



Sean P. Flynn
President

c: Marion Utilities

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STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

December 6, 2011

Kathy Ortiz
International Villas
P. O. Box 1498
Ocala, FL 34478

Re: Jurisdictional status of International Villas water system in Marion County

Dear Ms. Ortiz:

Your e-mail to Mr. Dale DeSimone on October 13, 2011 that stated Mr. Gupta does not intend to charge the residents of International Villas for water service was forwarded to me by Vicki Prendergast. Because there will be no specific charge made for water service, this water system is exempt from Public Service Commission jurisdiction pursuant to Section 367.022(5), Florida Statutes, which states in part:

The following are not subject to regulation by the commission as a utility nor are they subject to the provisions of this chapter, except as expressly provided:

- (5) Landlords providing service to their tenants without specific compensation for the service.

The water operation still meets the classification as a public utility, but is exempt from Commission regulation. If the circumstances should change, meaning if customers are to be charged for water service, please advise the Commission of this intent so that our staff can investigate.

Sincerely yours,

A handwritten signature in cursive script that reads "Patti Daniel".

Patti Daniel, Supervisor
Bureau of Certification and Tariffs

cc: Dale DeSimone, Property Manager

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