

STATE OF FLORIDA

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DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

November 3, 2017

Mr. Robert George
Grand Village Mobile Home Park
1967 Commonwealth Lane, Suite 200
Tallahassee, FL 32303

VIA US MAIL

Re: Docket No. 20170171-WS - Resolution of the Board of County Commissioners of Leon County declaring Leon County subject to the provisions of Section 367, Florida Statutes.

Dear Mr. George:

Pursuant to information provided by the Leon County Public Works Department and the Florida Department of Environmental Protection, the Florida Public Service Commission (Commission) staff sent you a letter on September 28, 2017, regarding filing an application for grandfather certificate of authorization to provide water and wastewater service in Leon County. Staff had attempted to contact you by telephone prior to sending the letter, but had been unable to reach you to discuss the possibility that Grand Village Mobile Home Park may be exempt from the Commission's regulation.

Based on your telephone conversation with staff on November 2, 2017, it appears that Grand Village Mobile Home Park is exempt from Commission regulation based on Section 367.022(5), F.S. Section 367.022, F.S., (enclosed), provides a list of all of the exemptions from Commission regulation. Please provide a written response by November 30, 2017, affirming that Grand Village Mobile Home Park is a landlord providing water and wastewater service to its tenants without specific compensation for the service.

The owner of Grand Village Mobile Home Park or any successors in interest are put on notice that if there is any change in circumstance or method of operation which causes it to no longer qualify for exemption pursuant to Section 367.022, F.S., it should inform the Commission within 30 days of such change so that its status may be reevaluated. Please be advised that pursuant to Section 837.06, F.S., whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in Sections 775.082 or 775.083, F.S.

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Your response should include the docket number (20170171-WS) and be mailed to :

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

If you have any questions, please contact Mrs. Melinda Watts by phone at (850) 413-6952 or email at mwatts@psc.state.fl.us.

Sincerely,



Melinda Watts
Engineering Specialist
Division of Engineering

MW:tj

Enclosure

cc: Office of Commission Clerk (DN 20170171-WS)

367.022 Exemptions.—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:

- (1) The sale, distribution, or furnishing of bottled water.
- (2) Systems owned, operated, managed, or controlled by governmental authorities, including water or wastewater facilities operated by private firms under water or wastewater facility privatization contracts as defined in s. 153.91, and nonprofit corporations formed for the purpose of acting on behalf of a political subdivision with respect to a water or wastewater facility.
- (3) Manufacturers providing service solely in connection with their operations.
- (4) Public lodging establishments providing service solely in connection with service to their guests.
- (5) Landlords providing service to their tenants without specific compensation for the service.
- (6) Systems with the capacity or proposed capacity to serve 100 or fewer persons.
- (7) Nonprofit corporations, associations, or cooperatives providing service solely to members who own and control such nonprofit corporations, associations, or cooperatives.
- (8) Any person who resells water or wastewater service at a rate or charge which does not exceed the actual purchase price of the water or wastewater.
- (9) Any person who resells water service to his or her tenants or to individually metered residents for a fee that does not exceed the actual purchase price of the water plus the actual cost of meter reading and billing, not to exceed 9 percent of the actual cost of service.
- (10) Wastewater treatment plants operated exclusively for disposing of industrial wastewater.
- (11) The sale of bulk supplies of desalinated water to a governmental authority.
- (12) Any person providing only nonpotable water for irrigation or fireflow purposes in a geographic area where potable water service is available from a governmentally or privately owned utility or a private well.
- (13) The sale for resale of bulk supplies of water or the sale or resale of wastewater services to a governmental authority or to a utility regulated pursuant to this chapter either by the commission or the county.

History.—s. 1, ch. 71-278; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 3, 25, 26, ch. 80-99; ss. 2, 3, ch. 81-318; ss. 3, 26, 27, ch. 89-353; s. 1, ch. 90-166; s. 4, ch. 91-429; s. 1, ch. 96-107; s. 10, ch. 96-202; s. 24, ch. 97-236; s. 4, ch. 99-319; s. 39, ch. 2002-296; s. 2, ch. 2016-226.