

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by DEERWOOD MOBILE HOME) DOCKET NO. 890488-WS
PARK for exemption from FPSC regulation) ORDER NO. 21292
for water and sewer facilities in) ISSUED: 5-26-89
Orange County.)
_____)

ORDER INDICATING THE EXEMPT STATUS OF
DEERWOOD MOBILE HOME PARK

BY THE COMMISSION:

Deerwood Mobile Home Park (Deerwood) plans to obtain water and sewer service from Orange County Public Utilities (Orange County) and resell the service to its tenants. Deerwood seeks an order indicating that it is not subject to the regulation of this Commission. Deerwood submitted a letter and affidavit on April 11, 1989, to that extent, and supporting documentation on May 5, 1989.

The affidavit, letter, and supporting documentation show that: Deerwood is a mobile home park which plans to provide water and sewer service to its tenants; Deerwood will receive water and sewer service from Orange County; and Deerwood will resell the water and sewer service at a charge which does not exceed the actual purchase price, by way of submetering. Further, Deerwood acknowledges its obligation to comply with Rule 25-30.111, Florida Administrative Code, which requires the filing of an annual report providing the source of the water or sewer service, rates and expenses from service purchased from the source supplier, and rates and revenues from service sold to customers.

As a matter of practice, upon request and sufficient proof, the Commission will issue an order indicating the exempt status of water or sewer service, if it qualifies under the appropriate section of Chapter 367, Florida Statutes (1987). Deerwood requested recognition of the exempt status of its water and sewer service under Section 367.022(8), Florida Statutes (1987).

Section 367.022(8), Florida Statutes (1987), states that any person who resells water or sewer service at a rate or charge which does not exceed the actual purchase price thereof, and who complies with certain reporting requirements, is exempt from Commission regulation. Based upon the facts as represented, we find that Deerwood is exempt from our regulation under the terms of Section 367.022(8), Florida Statutes (1987). However, should there be any change in circumstances or method of operation, the owner of Deerwood, or his successor(s) in interest, must inform the Commission within thirty days of such change, so that we may determine whether exempt status is still appropriate.

It is, therefore,

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ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Deerwood Mobile Home Park's water and sewer service, which will be provided at 14390 East Colonial Drive, Orlando, Florida 32826, is hereby exempt from Commission regulation pursuant to the terms of Section 367.022(8), Florida Statutes (1987). It is further

ORDERED that Deerwood shall comply with the reporting requirements of Rule 25-30.111, Florida Administrative Code. It is further

ORDERED that should there be any change in circumstances or method that Deerwood's water or sewer service is provided, the owner of Deerwood or any successor in interest shall inform the Commission within thirty days of such change. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission,
this 26th day of MAY, 1989.



STEVE TRIBBLE, Director
Division of Records and Reporting

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