

MEMORANDUM

September 12, 1991

ORIGINAL  
FILE COPY

TO : REX GOLDEN, DIVISION OF LEGAL SERVICES  
DIVISION OF RECORDS AND REPORTING

FROM : EDITH HOLMAN, DIVISION OF WATER AND SEWER *EH*

RE : DOCKET NO. 910936-WU: REQUEST BY TRITON, INC. FOR AN  
EXEMPTION FROM FLORIDA PUBLIC SERVICE COMMISSION  
REGULATION FOR A WATER SYSTEM IN BAY COUNTY.

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Please find below the EXEMPTION CHECKLIST completed for the above referenced docket.

After reviewing the documentation provided, I recommend that an administrative order be issued as soon as possible indicating the exempt status of the applicant. Triton, Inc. is currently using bottled water and is waiting to be granted exemption so that they can obtain a permit from D.E.R. to construct the water system. If any further information is needed, please contact me as soon as possible.

ACK \_\_\_\_\_

AFA \_\_\_\_\_

APP \_\_\_\_\_

CAF \_\_\_\_\_

CMU \_\_\_\_\_

CTR \_\_\_\_\_

EAG \_\_\_\_\_

LEG \_\_\_\_\_

LIN \_\_\_\_\_

OPC \_\_\_\_\_

RCH \_\_\_\_\_

SEC 1 \_\_\_\_\_

WAS \_\_\_\_\_

OTH \_\_\_\_\_

EXEMPTION CHECKLIST

FILING DATE: September 3, 1991

TYPE OF EXEMPTION REQUESTED: Non-Jurisdictional Entity pursuant to Section 367.021 (12), Florida Statutes

I. NAME OF APPLICANT SYSTEM: Triton, Incorporated

PHYSICAL ADDRESS/LOCATION OF APPLICANT SYSTEM:  
1408 West 23rd Street, Panama City, Florida 32405  
(Street, City, State, Zip Code)

COUNTY: Bay

NAME OF SYSTEM OWNER: J.L. Richardson, President

DOCUMENT NUMBER-DATE

09131 SEP 12 1991

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**MAILING ADDRESS OF APPLICANT (IF DIFFERENT FROM ABOVE):**

**NAME OF PRIMARY CONTACT PERSON, ADDRESS AND PHONE NO.:**

Michael W. Harper, Buchanan and Harper, Inc., 1312 Balboa Avenue, Panama City, FL 32401

**II. LEGAL STATUS OF APPLICANT SYSTEM: Corporation**

(Corporation, sole proprietorship, partnership, etc.)

**III. PHYSICAL DESCRIPTION OF SYSTEM: WATER X WASTEWATER**

NO. OF LOTS: CURRENTLY N/A ULTIMATELY N/A

NO. OF UNITS: CURRENTLY N/A ULTIMATELY N/A

NO. OF CUSTOMERS: CURRENTLY 1 ULTIMATELY 1

DESCRIPTION OF CUSTOMERS: Convenience store owned by Triton, Inc.

(All residents or homeowners, tenants, etc.)

**IV. Indicate in the space provided the documentation supplied by the applicant in support of its request for exemption:**

(A) An affidavit from the owner/developer of the system setting out the statutory and factual basis for the exemption. (All exemption requests must include an affidavit.) X

(B) Section 367.022(5): Lease agreement showing no specific charge for water and/or sewer service in the lot rent.     

(C) Section 367.022(6): Document showing the capacity of the system. For a sewer system the capacity of both the treatment and disposal facilities is necessary.     

(D) Section 367.022(8): Name of utility providing service to the reseller, that utility's current rates and charges, an explanation of the reseller's proposed method of billing

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customers, separately for both water and sewer, and a schedule showing that the amount billed will not exceed the amount paid for water and/or sewer.

- V. Does the request suggest possible "non-jurisdictional" status because the entity is not a utility pursuant to the definition in Section 367.021(12), Florida Statutes?

yes

- VI. Who did you call, when and why did you call, and did you receive all the information you requested? Michael Harper was called on September 11, 1991 to find out who provides wastewater, if the store was already in operation, how many lots, how many units and how many customers the system would serve. Wastewater service is provided by a septic tank. Yes, I received all the information I requested.

- VII. Discussion of justification for exemption including description of information contained in affidavit and additional documentation reviewed in support of exemption:

Triton, Incorporated owns and operates a non-community public water system, it does not charge any customers for water and all costs for providing water service are treated as operational expenses of Triton, Inc.