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MEMORANDUM

April 7, 1994

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FILE COPY

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

FROM: LESLIE PELLICANO, DIVISION OF WATER AND WASTEWATER

RE: DOCKET NO. 940348-WU; REQUEST FOR EXEMPTION FROM FLORIDA PUBLIC SERVICE COMMISSION REGULATION FOR PROVISION OF WATER SERVICE IN HERNANDO COUNTY BY KINEMATICS CORPORATION.

On March 30, 1994, Kinematics Corporation applied for a non-jurisdictional exemption from Florida Public Service Commission regulation pursuant to Section 367.021(12), Florida Statutes. Larry E. Dodson, vice president of Kinematics Corporation and primary contact person per the application, learned of the need to obtain a certificate of exemption when he applied to the Department of Environmental Protection for a permit to construct a replacement well. According to Mr. Dodson, the need for a replacement well arose when West Coast Regional Water Supply drained all shallow wells in the area.

Kinematics Corporation, located in Hernando County, stated in their application that water service will be provided to itself solely, without compensation, and that all costs for providing such services will be treated or recovered as operational expenses. Water service, as previously mentioned, is provided by a well, and wastewater service by a septic tank. The service territory, which is also both the physical and mailing address of Kinematics Corporation, is: 440 Broad Street, Masaryktown, Florida 34609.

The applicant, operating as a corporation, has filed in accordance with Section 367.021(12), Florida Statutes, and Rule 25-30.060(j), Florida Administrative Code, and has acknowledged Section 837.06, Florida Statutes, regarding false statements. Therefore, it is the recommendation of staff that Kinematics Corporation be granted a certificate of exemption pursuant to Section 367.021(12), Florida Statutes.

Section 2.08(c)(14) of the Administrative Procedures Manual grants staff the administrative authority to approve requests for determination of exempt status that are clear-cut and without controversy. Therefore, staff recommends that an administrative order be issued as soon as possible finding Kinematics Corporation exempt from Commission regulation pursuant to Section 367.021(12), Florida Statutes. Staff also recommends that the order require Kinematics Corporation to notify the Commission within 30 days of any change in circumstances or method of operation of its water

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system so that its exempt status may be reevaluated. Furthermore, staff recommends that this docket be closed.

Please note that the applicant must obtain this exemption order before a DEP permit can be issued; therefore, this order must be issued as soon as possible.

M E M O R A N D U M

April 15, 1994

RECEIVED
APR 20 1994

EPSC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (CROSBY) *MP/CP*
RE: DOCKET NO. 940348-WU - REQUEST FOR EXEMPTION FROM FLORIDA
PUBLIC SERVICE COMMISSION REGULATION FOR PROVISION OF
WATER SERVICE IN HERNANDO COUNTY BY KINEMATICS
CORPORATION

FOF - 0465

Attached is an Order Indicating Exempt Status of Kinematics Corporation and Closing Docket to be issued in the above-referenced Docket. (Number of Pages in Order - 3) (Document No. 940348A.ALC)

alc

Attachment

cc: Division of Water and Wastewater
(Pellicano)