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941044-WS
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FORM 5
PAGE 1 OF 2

APPLICATION FOR LANDLORD-TENANT EXEMPTION
SECTION 367.022(5), FLORIDA STATUTES
RULE 25-30.060(3)(e), FLORIDA ADMINISTRATIVE CODE

NAME OF SYSTEM: ALLIGATOR PARK

PHYSICAL ADDRESS OF SYSTEM: 6400 TAYLOR RD.
PUNTA GORDA, FLORIDA, 33950

MAILING ADDRESS (IF DIFFERENT): _____

COUNTY: CHARLOTTE

PRIMARY CONTACT PERSON:

NAME: GREGORY ILKOW

ADDRESS: 260 HERNANDO AVE.
PORT CHARLOTTE, FLORIDA, 33952

PHONE #: 627 - 8650

NATURE OF APPLICANT'S BUSINESS ORGANIZATION: (CORPORATION, PARTNERSHIP, SOLE PROPRIETOR, ETC.) SOLE PROPRIETOR

I believe this system to be exempt from regulation of the Florida Public Service Commission pursuant to Section 367.022(5), Florida Statutes, for the following reasons:

1. The landlord will provide utility service solely to its tenants.
2. Charges for service are non-specifically contained in rental charges.
3. The system provides (CHOOSE THE ONE THAT IS APPLICABLE):
 Water service only _____
 Wastewater service only _____
 Both _____

RECEIVED & FILED

Law
EPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11603 NOV 17 85

FPSC-RECORDS/REPORTING

APPLICATION FOR LANDLORD-TENANT EXEMPTION

4. The service area is located at: 6400 TAYLOR RD.
PUNTA GORDA, FLORIDA, 33950
5. A copy of the landlord's most recent version of a standard lease or rental agreement is attached to this application.

I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in S. 775.082, S. 775.083, or S. 775.084.

SAM N CURCUAN
(Applicant please type or print)

11-15-94
(Date)

Sam N. Curcuan
(Signature)

PRES.
(Title)

When you finish filling out the application, the original and two copies of application and lease or rental agreement should be mailed to: Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0850.



Department of Environmental Protection

Lewton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

November 9, 1994

CERTIFIED MAIL # Z 073 229 882
RETURN RECEIPT REQUESTED

Johanna DePalma, President
El Galeon Utility Co., Inc.
1770 Gulf Blvd.
Englewood, Florida 34223

Re: Charlotte County - DW
El Galeon Motel -STP
DEP File No. 5208P00377
D008-258527MC
D008-246107
PERMIT MODIFICATION

Dear Ms. DePalma:

This letter is to inform you that the operation permit for the above referenced project has been modified as requested. The permit number D008-246107, page 1 of 9, is modified to operate a 0.0095 MGD (annual average daily flow) extended aeration process wastewater treatment facility. The treatment facility was previously permitted at 0.025 MGD-AADP. In addition Specific Condition number 5 for permit number D008-246107, page 6 of 9, is modified as follows:

SPECIFIC CONDITION # 5: This facility is a category III, requiring a Class D or higher operator on site 2 nonconsecutive visits per week for 1 hour per week, F.A.C. Rule 62-699.310(3)(c). Operator shall be on call during periods when the plant is unattended. [Daily checks of all plants shall be performed by the permittee, or supplier, or his representative or agent 5 days per week for all Class C and D plants.] Reference Rule 62-699.311(1), F.A.C.

The modification shall be made a part of the operation permit number: D008-246107.

Please incorporate this letter into the operation permit number D008-246107. Therefore, making it a part of that permit and all other conditions of said "Operation" permit shall remain the same.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S.. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

Page 1 of 2

Petitions filed by the permit applicant, parties listed below or other persons must be filed within 14 days of receipt of this letter.

Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

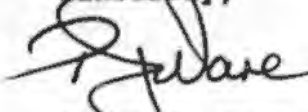
The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this letter in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

All other conditions or modifications, including the expiration date, of permit DO08-246107 shall remain in effect and are enforceable. If you have any questions regarding this modification contact Bennie T. Shoemaker at (813) 332-6975.

Sincerely,



Peter J. Ware
Director of
District Management

PJW/BTS/klm
cc: R. Jeff Weiler, P.E.

Commissioners:

J. TERRY DEASON, CHAIRMAN
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIRSLING

State of Florida



Wanda S. Bayo, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

Ms. Johanna DePalma
1765 Gulf Boulevard
Englewood, FL 34223

Dear Ms. DePalma:

Date: November 17, 1994

Docket No. 941220-SU

This will acknowledge receipt of request for exemption from Florida Public Service Commission Regulation for provision of water and/or wastewater service by EL GALEON UTILITY CO., INC.

Which has been filed as of this date. Appropriate staff members will be advised.

By: lcw