

STATE OF FLORIDA



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DIVISION OF WATER & WASTEWATER
CHARLES H. HILL
DIRECTOR
(850) 413-6900

Public Service Commission

May 29, 1998

Mr. Harris Bonnette, Jr.
1548 Lancaster Terrace
Jacksonville, FL 32204

Re: Docket #950823-WS - Request for exemption from Florida Public Service Commission regulation for provision of water and wastewater service in Marion County by Oak Trace Villas Homeowner Association.

Dear Mr. Bonnette:

The above mentioned docket has been transferred to me for processing. It is my understanding that you represent Mr. Brad Arnold and/or R.B. & Associates in the matter relating to Oak Trace Villas property.

The Florida Public Service Commission is concerned with the ownership and operation of the water and wastewater utility serving the residents of Oak Trace Villas properties. We have been informed that the utility serving the residents is in need of extensive repairs. Therefore, we would appreciate your assistance in addressing the ownership and maintenance issues.

- ACK _____ Martha Golden, Economic Analyst formerly assigned to this docket, has informed me that you
- AFA _____ would like several items of information so you can better advise your client. These items include:
- APP _____ 1. Copies of correspondence from the docket file. Most contacts involving this docket
- CAF _____ have been verbal. However, copies of written correspondence are included for your
- CMU _____ information.
- CTR _____ 2. Copy of the Warranty Deed showing that R.B. & Associates owns Oak Trace.
- EAG _____ 3. Copy of rules and regulations for regulated utilities. A copy of an application for
- LEG _____ certification for a utility in existence, which includes most rules and regulations, is
- LIN _____ provided.
- OPC _____ 4. What else needs to be done to be exempt? Turn control of utility to customer
- RCH _____ controlled association, where all customers of the utility are members of the
- SEC _____ association.
- WAS _____
- OTH _____

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5. Requirements for abandonment. See Section 367.165, Florida Statutes, and Rule 25-30.090, Florida Administrative Code, which identifies the procedures and requirements for abandonment. Please note that pursuant to Section 367.165, Florida Statutes, service cannot be interrupted. Copies of the statute and rule are attached.

At this point, staff believes the utility has the following options:

1. Apply for a certificate in accordance with Section 367.045, Florida Statutes.
2. Comply with the exemption statute by turning control of utility to the customers.

Please advise us of your client's decision by June 12, 1998.

Should you have any questions or need any additional information, feel free to contact me at (850) 413-6997.

Sincerely,



Stephanie Clapp
Regulatory Analyst

SAC:sc

cc: Department of Water and Wastewater (Hill, Lowe, Messer)
Department of Legal Services (Crosby)
Department of Records and Reporting