

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for exemption)	DOCKET NO. 921138-WU
from Florida Public Service)	ORDER NO. PSC-93-0182-POF-WU
Commission regulation for)	ISSUED: 02/08/93
provision of water service	
in Alachua)	
County by GAINESVILLE OCALA)	
MARINE.)	
_____)	

ORDER INDICATING EXEMPT STATUS
OF GAINESVILLE OCALA MARINE AND CLOSING DOCKET

Gainesville Ocala Marine (Ocala Marine or utility) filed an application for recognition of its exempt status pursuant to Section 367.022(2), Florida Statutes. Ocala Marine is an alternative school for delinquent youths, which is under contract with the Department of Health & Rehabilitative Services (HRS). Ms. Susan Soderholm, a member of the board of directors, filed the application on behalf of Ocala Marine.

Water service is provided by a well. Wastewater service for Ocala Marine is furnished by a septic tank.

Section 367.022(2), Florida Statutes, exempts from Commission regulation those systems owned, operated, managed, or controlled by governmental authorities. HRS is a "governmental authority" as defined in Section 367.021(7), Florida Statutes.

The application was filed in accordance with Section 367.022(2), Florida Statutes, and 25-30.060(3)(b), Florida Administrative Code. According to the application, Ocala Marine is under contract with HRS, a "governmental authority," and provides water service solely to the Ocala Marine property, which is located at Highway 444, Micanopy, Florida.

In addition, the application form states that pursuant to Section 837.06, Florida Statutes, anyone knowingly making a false statement in writing with the intent to mislead is guilty of a misdemeanor. By signing the application, Ms. Soderholm acknowledged that she is aware of Section 837.06, Florida Statutes, and the penalties for making false statements in the application.

Based upon the facts as represented, we find that the company is exempt from Commission regulation, pursuant to the provision of Section 367.022(2), Florida Statutes. However, should there be any change in circumstances or method of operation, the owner of the Company, or any successor in interest, must inform the Commission within 30 days of such change so that its exempt status may be reevaluated.

DOCUMENT NUMBER-DATE

01527 FEB-83

FPSC-RECORDS/REGISTRATION

Based upon the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Gainesville Ocala Marine, located at Highway 444, Micanopy, Florida 32667, with Richard S. Tisdale as contact person, is hereby exempt from Commission regulation pursuant to the provisions of Section 367.022(2), Florida Statutes. It is further

ORDERED that should there be any change in circumstances or method of operation, the owner of Gainesville Ocala Marine or any successor in interest shall inform the Commission within 30 days of such change so that we may reevaluate the utility's exempt status. It is further

ORDERED that this Docket is hereby closed.

By ORDER of the Florida Public Service Commission this 8th day of February, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.