

**MEMORANDUM**

December 21, 1995

TO : MIKE REBUCK, DIVISION OF LEGAL SERVICES  
DIVISION OF RECORDS AND REPORTING

FROM: RICHARD REDEMANN, DIVISION OF WATER AND WASTEWATER

RE : DOCKET NO. 951235-WS; RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF MANATEE COUNTY SUBJECT TO THE PROVISION  
OF CHAPTER 367, F.S. - EXEMPTION REQUEST FOR WATER AND  
WASTEWATER SERVICE BY MIDWAY FLEA MARKET.

On October 10, 1995, the Manatee County Board of County Commissioners adopted Resolution No. R-95-109, pursuant to Section 367.171, Florida Statutes, declaring the privately owned water and wastewater utilities in Manatee County subject to the provisions of Chapter 367, Florida Statutes, effective October 10, 1995. The Florida Public Service Commission received Manatee County's resolution on October 17, 1995. The effect of the resolution is to invoke Public Service Commission jurisdiction over privately owned water and wastewater systems in Manatee County. Pursuant to Section 367.031, Florida Statutes, all utilities subject to the Commission's jurisdiction must obtain either a certificate to provide water and wastewater service or an order recognizing the exempt status of the system.

On December 19, 1995, Midway Flea Market (a copy of the application is attached) applied for an exemption for a water and wastewater facility from the Florida Public Service Commission under Section 367.022 (5), Florida Statutes, and Rule 25-30.060(3)(e), Florida Administrative Code a landlord-tenant exemption. The applicant's business organization Brandenpal Country Market, Inc. dba/Midway Flea Market is a corporation. The location of the water and wastewater system is at 10816 U.S. 41 North; Palmetto, FL 34221. The mailing address is the same. Mr. William L. Hanekamp is the contact person. The Midway Flea Market rents vendor spaces for merchants at the flea market.

In its application, Midway Flea Market states the it provides water and wastewater service, the landlord will provide utility service solely to its tenants, charges for service are non-specifically contained in the rental charges, a copy of the landlord's most recent version of a standard lease or rental agreement was attached and the service area was specified above. In addition, the applicant acknowledged Section 837.06, Florida Statutes, regarding false statements.

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEC \_\_\_\_\_  
LIR \_\_\_\_\_  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEL \_\_\_\_\_  
NAS \_\_\_\_\_  
RTH \_\_\_\_\_

DOCUMENT NUMBER DATE

12986 DEC 26 95

FPCO-RECORDS/REPORTING

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

Docket # 951335-WS

NAME OF SYSTEM: MIDWAY FLEA MARKET

PHYSICAL ADDRESS OF SYSTEM: 10216 US 41 N.  
Palmetto, FL 34221

MAILING ADDRESS (IF DIFFERENT): \_\_\_\_\_

COUNTY: MANATEE

PRIMARY CONTACT PERSON:

NAME: WILLIAM L. HANCKAMP

ADDRESS: 10216 US 41 NORTH  
PALMETTO, FL 34221

PHONE #: 1-941-723-6000

NAMES OF OWNER(S): BRADENPAH COUNTRY MARKETING INC  
aka/ MIDWAY FLEA MARKET

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

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 utility services provided are:  
Water (Yes) or No) Wastewater (Yes) or No)

For utility service not provided, state how handled:

12/21/95 - Water is purchased from the  
city of Palmetto.

APPLICATION FOR LANDLORD-TENANT EXEMPTION

4. The service territory is located at: 10210 U.S. 90 N  
PALMETTO, FL 34221
5. Attached is a copy of the landlord's most recent version of a standard lease or rental agreement.

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.

12-11-95  
(Date)

William J. Hancock  
Applicant's Signature \*\*

WILLIAM J. HANCOCK  
Applicant's Name (Typed or Printed)

President  
Applicant Title

- \*\* If applicant is not the Owner of property for which the exemption is being requested, a Letter of Authorization from the Owner must be attached to application.

When you finish filling out the application, the original and four copies of application and lease or rental agreement should be mailed to:

Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



10816 US 41 Palmetto, FL 34221  
(813) 723-9093 or (813) 723-6000

**VENDOR AGREEMENT FORM**

Name ..... Date .....

DBA ..... ..

Address .....

Phone. (Day) ..... ( Evening) .....

I/we commit to reserve space as indicated below at the  
MIDWAY FLEA MARKET, 10816 US Hwy. 41, Palmetto, FL 34221  
for one year beginning .....

SPACE LOCATION ..... RATE

\_\_\_\_\_  
Vendor Signature