

**ORIGINAL
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Steve Tribble

MEMORANDUM

October 1, 1991



TO : DAVID L. SWAFFORD, EXECUTIVE DIRECTOR

FROM : DIVISION OF LEGAL SERVICES (FRAZIER) *BT*
 DIVISION OF WATER AND WASTEWATER (REDEMANN) *PK*

RE : ~~DOCKET NO. 910231-SU~~ -REQUEST FOR EXEMPTION FROM FLORIDA
 PUBLIC SERVICE COMMISSION REGULATION FOR A SEWAGE
 TREATMENT AND DISPOSAL SYSTEM IN MONROE COUNTY BY
 OVERSEAS TRAILER PARK

Overseas Trailer Park (Overseas) applied for a permit from Department of Environmental Regulation (DER) to build a wastewater treatment and disposal system. Before DER grants a permit, it requires a certificate from the Commission authorizing Overseas to provide utility service or proof of exemption from regulation by the Florida Public Service Commission (Commission).

On February 26, 1991, Overseas filed an application for an exemption from regulation by the Commission as a landlord providing wastewater service to its tenants without collecting specific compensation. During a discussion between Overseas and the Commission's legal staff concerning Overseas' lease agreement, staff discovered that Overseas planned not to proceed with the request for a wastewater exemption. As its reason, Overseas stated that the wastewater system may not be built due to a pending protest against Overseas building the new system. Wastewater currently is treated and disposed of via on-site septic systems.

By letter dated September 13, 1991, Overseas requested to withdraw its application for exemption until it has decided to proceed with building a wastewater treatment and disposal system. If it plans to build a wastewater treatment plant, Overseas will resubmit its request for an exemption.

Under the aforementioned circumstances, staff recommends that the request for withdrawal of the landlord exemption be accepted and the docket closed. Section 2.08(C)(6)(d), Administrative Procedures Manual (APM), provides that the Executive Director, General Counsel and the OPR division may administratively close dockets which were opened to process exemption requests where the applicant seeks to withdraw its application and no filing fee has been paid.

- ACK _____
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- SEC 1
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- STH _____

CC: Steve Tribble, Director, Division of Records Management

10/9 OK ps st

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