

MEMORANDUM

January 16, 1998

TO : ALICE CROSBY, DIVISION OF LEGAL SERVICES
 DIVISION OF RECORDS AND REPORTING

FROM : MARTHA GOLDEN, DIVISION OF WATER AND WASTEWATER *MAD SCM JGW*

RE : DOCKET NO. [REDACTED]; RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY DECLARING MANATEE COUNTY SUBJECT TO THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES - REQUEST FOR EXEMPTION FOR PROVISION OF WASTEWATER SERVICE BY PINEY POINT PHOSPHATES, INC.

On October 10, 1995, the Board of County Commissioners of Manatee County adopted Resolution No. R-95-109, pursuant to Section 367.171, Florida Statutes, declaring that as of October 10, 1995, the water and wastewater utilities in that County shall become subject to the provision of the Water and Wastewater Regulatory Law, Chapter 367, Florida Statutes. The resolution was acknowledged by this Commission on November 9, 1995, by Order No. PSC-95-1393-POP-WS. Pursuant to Section 367.131, Florida Statutes, a utility subject to the jurisdiction of this Commission must obtain a certificate of authorization or an order recognizing the exempt status of the system.

On December 1, 1995, this Commission received an application from Piney Point Phosphates, Inc. for a manufacturer's exemption pursuant to Section 367.022(3), Florida Statutes. The primary contact person for Piney Point Phosphates, Inc. is Ivan Nance. The mailing address for the above contact person and utility is 13300 U.S. Highway 41 North, Palmetto, Florida 34221-8662. The utility's physical address is the same as the mailing address.

The applicant, operating as a corporation, has filed in accordance with Section 367.022(3), Florida Statutes and Rules 25-30.060(1), (2), and (3)(c), Florida Administrative Code. Included with the application was a statement that the manufacturer will provide wastewater service solely in connection with its manufacturing operations. Potable water service is provided by Manatee County. Additionally, the applicant acknowledged Section 367.06, Florida Statutes, regarding false statements.

Based on the above, an administrative order should be issued as soon as possible approving Piney Point Phosphates, Inc.'s application for exemption pursuant to Section 367.022(3), Florida Statutes. In the event of any change of circumstances or method of operation, Piney Point Phosphates, Inc. or its successors shall

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interest, should be ordered to notify the Commission within thirty days of such change so that its exempt status may be reevaluated. Additionally, staff recommends that this docket should remain open for the processing of additional applications.

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