

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for exemption)	DOCKET NO. 920166-WS
from Florida Public Service)	ORDER NO. PSC-92-0179-FOF-WS
Commission regulation for)	ISSUED: 04/10/92
provision of water and)	
wastewater services in)	
Escambia County by CHAMPION)	
INTERNATIONAL CORPORATION)	
_____)	

ORDER INDICATING THE EXEMPT STATUS OF
CHAMPION INTERNATIONAL CORPORATION

BY THE COMMISSION:

On December 3, 1991, the Board of County Commissioners of Escambia County passed a resolution granting the Florida Public Service Commission (Commission) jurisdiction to regulate the water and wastewater utilities of Escambia County. When the resolution was passed granting jurisdiction to the Commission, all privately owned water and wastewater systems in said county were required to make an application for either a grandfather certificate or an exemption from regulation, pursuant to Section 367.031, Florida Statutes. Therefore, in response, on February 21, 1992, Champion International Corporation (Champion or Company) filed an application for an exemption from Commission regulation pursuant to Section 367.022(3), Florida Statutes.

Champion is a pulp and paper mill which manufactures paper products. It is located in Escambia County, at 375 Muscogee Road, Cantonment, Florida. The Company provides water and wastewater service solely for use in the daily manufacturing operations of the mill.

As a matter of practice, upon request and sufficient proof, the Commission will issue an order indicating the nonjurisdictional exempt status of water or wastewater facilities, if they qualify under the appropriate section of Chapter 367 Florida Statutes. Section 367.022(3), Florida Statutes, provides that manufacturers providing service solely in connection with their operations are exempt from Commission regulation.

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In addition, Rule 25-30.060(3)(c), Florida Administrative Code, states the requirements for an application are as follows:

For an exemption pursuant to Section 367.022(3), Florida Statutes, a statement from the manufacturer that service is provided solely in connection with its operations; stating whether it provides water service, wastewater service or both; and specifying the service area....

Champion International Corporation's application shows: that the Company provides water and wastewater service solely in connection with its manufacturing operations; that the water and wastewater facility is located on the Company's premises; and that the pulp and paper mill located at 375 Muscogee Road, Cantonment, Florida is the extent of the service area.

Based upon the facts as represented, we find that the Company is exempt from our regulation under the terms of Section 367.022(3), 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 thirty days of such change, so that we may determine whether exempt status is still appropriate.

It is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, Champion International Corporation, located at 375 Muscogee Road, Cantonment, Florida, with Willie C. Tims, Jr., Environment, Health, and Safety Manager, as contact person, is hereby exempt from Commission regulation pursuant to the terms of Section 367.022(3), Florida Statutes. It is further

ORDERED that should there be any change in circumstances or method of operation of the Company's water and wastewater facility, the owner of the Company, or any successor in interest, shall inform the Commission within thirty days of such change. It is further

ORDERED that this docket be closed.

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By ORDER of the Florida Public Service Commission, this 10th
day of April, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.