

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Exemption) DOCKET NO. 920860-WU
From Florida Public Service) ORDER NO. PSC-92-1087-FOF-WU
Commission Regulation for) ISSUED: 09/30/92
Provision of Water Service in)
Bradford County by Enron Gas)
Processing Company.)
_____)

ORDER INDICATING NONJURISDICTIONAL
STATUS OF ENRON GAS PROCESSING COMPANY AND CLOSING DOCKET

BY THE COMMISSION:

On August 26, 1992, Enron Gas Processing Company (Enron) filed an application with this Commission for recognition of nonjurisdictional status, pursuant to Section 367.021(12), Florida Statutes. Mr. John M. Riggs, Plant Manager, filed the application on behalf of Enron.

Upon request and sufficient proof, the Commission will issue an order indicating the nonjurisdictional or exempt status of water or wastewater systems if they qualify under the appropriate provision of Chapter 367, Florida Statutes. According to the application filed by Enron, water is provided only to Enron, there is no charge for providing the service, and all costs of providing service are treated or recovered as operational expenses.

Section 367.021(12), Florida Statutes, states that a "utility means a water or wastewater utility and except as provided in Section 367.022, includes every person, lessee, trustee, or receiver owning, operating, managing or controlling a system, or proposing construction of a system, who is providing or proposes to provide water or wastewater service to the public for compensation."

Because Enron will not be providing water service to the public for compensation based on the facts as represented, we find that it is not a water utility pursuant to Section 367.021(12), Florida Statutes. However, should there be any change in circumstances or method of operation, the owner of Enron or any successor in interest, must inform the Commission within 30 days of such change so that we may review the matter to determine whether nonjurisdictional status is still appropriate.

It is, therefore,

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ORDERED by the Florida Public Service Commission, based upon the facts as represented, Enron Gas Processing Company, Post Office Box 68, Brooker, Florida 32622, is not a water utility subject to this Commission's jurisdiction, pursuant to the provisions of Section 367.021(12), Florida Statutes. It is further

ORDERED that should there be any change in circumstances or method of operation, the owner of Enron Gas Processing Company or its successor(s) in interest, shall inform this Commission within 30 days of such a change so that we may re-evaluate Enron's nonjurisdictional status. It is further

ORDERED that Docket No. 920860-WU is hereby closed.

By ORDER of the Florida Public Service Commission this 30th day of September, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

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by: Kay Flynn
Chief, Bureau of Records