

ORIGINAL
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MEMORANDUM

January 24, 1995

TO : DIVISION OF LEGAL SERVICES (VACCARO)
DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF WATER AND WASTEWATER (EDWARDS) *ACM*

RE : DOCKET NO. 941044-^{WS}50; RESOLUTION OF BOARD OF
 COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE
 COUNTY SUBJECT TO PROVISIONS OF CHAPTER 367, F.S.-
 REQUEST FOR EXEMPTION FOR PROVISION OF WASTEWATER SERVICE
 BY EDGEWATER MANOR ASSOCIATION INC. *JW*

In accordance with Chapter 367.031, Florida Statutes (F.S.), "Each utility subject to the jurisdiction of the commission must obtain from the commission a certificate of authorization to provide water or wastewater service or an order recognizing that the system is exempt from regulation as provides by s. 367.022." On November 11, 1994, Edgewater Manor Association, Inc. (Edgewater Manor or applicant), applied for an exemption for a wastewater facility from the Florida Public Service Commission under Section 367.022 (6), F.S., a small system exemption. The applicant's physical address and mailing address is 22333 Edgewater Drive D-4, Charlotte Harbor, Florida, 33980. Mr. Joseph Pilkington is the president and primary contact person. Mr. Pilkington's mailing address is the same as referenced above.

ACK _____ Wastewater service will be provided solely to Edgewater Manor
 AFA _____ Condominium Association. Water service is provided by Port
 AFP _____ Charlotte Utility. Edgewater Manor provided a copy of the
 CAF _____ Department of Environment Protection's (DEP) operation permit. The
 CBU _____ DEP letter of authorization stated that the applicant's wastewater
 CTR _____ treatment system is capable of handling 10,000 GPD (gallons per
 EAG _____ day), which is the average daily flow). Edgewater Manor stated, in
 LET _____ the application, that its wastewater treatment system has the
 LHM _____ capacity to serve one hundred (100) or fewer persons as defined in
 Rule 25-30.053, Florida Administrative Code. In addition, the
 DPC _____ applicant acknowledged Section 837.06, Florida Statutes, regarding
 RCH _____ false statements.
 EC _____ Based upon the facts presented herein, staff believes
 WAS _____ Edgewater Manor Association, Inc.'s wastewater system is exempt as
 TH _____ defined by Section 367.022(6), F.S., and Rule 25-30.060(3)(f),
 Florida Administrative Code. Section 2.08(C)(14) of the
 Administrative Procedures Manual (APM) gives staff the
 administrative authority to approve requests for determination of
 exempt status that are clear-cut and without controversy. Since
 the applicant needs this exemption order to continue to obtain its

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Department of Environmental Protection permit, we request that an administrative order be issued as soon as possible indicating the exempt status of Edgewater Manor, Inc. for wastewater service. The order should provide that in the event of any change of circumstances or method of operation, Edgewater Manor Association, Inc., or its successor(s) in interest should notify the Commission within thirty days of such change so that its exempt status may be reevaluated.

cc: Charles H. Hill