



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: May 9, 1995  
 TO: Evonne Sager, Division of Legal Services  
 Division of Records and Reporting  
 FROM: Clay Zhang, Division of Water and Wastewater *[Signature]*  
 RE: Docket No. 941044-Resolution of Board of Commissioners of Charlotte County  
 Declaring Charlotte County Subject to Provisions of Chapter 367, Florida Statutes  
 - Request for Exemption for Provision of Water Service by Charlotte Harbor  
 Water Association, Inc.

On September 27, 1994, the Charlotte County Board of Commissioners adopted Resolution No. 94-195, pursuant to section 367.171, Florida Statutes, declaring the privately owned water and wastewater utilities in Charlotte subject to the provisions of Chapter 367, Florida Statutes, effective September 27, 1994. The Florida Public Service Commission received Charlotte County's resolution on September 30, 1994. Pursuant to Section 367.031, Florida Statutes, all utilities subject to the Commission's jurisdiction must obtain either a certificate to provide water and wastewater service or an order recognizing the exempt status of the system. On November 21, 1994, this Commission received an application from Charlotte Harbor Water Association, Inc. (CHWA) for exemption pursuant to Section 367.022(7), Florida Statutes as a non-profit association. The mailing address is 2515 Highland Rd, Harbor Heights, FL 33983, and the primary contact person is Mr. Paul Brayton, corporate secretary.

ACK \_\_\_\_\_ The application was filed in accordance with Section 367.022(7), Florida Statutes and  
 AFA \_\_\_\_\_ Rule 25-30.060(1), (2) and (3)(g), Florida Administrative Code. Included with the  
 APP \_\_\_\_\_ exemption application was a statement from Mr. Robert Kozoman, President, which states  
 CAF \_\_\_\_\_ that the system provides water service only, service is provided solely to members who owns  
 CMU \_\_\_\_\_ and controls it, CHWA does the billing for such service, and the service area is located at  
 CTR \_\_\_\_\_ 2515 Highland Rd., Highland Heights, FL 33983. Upon our request, Mr. Paul Brayton also  
 EAG \_\_\_\_\_ submitted an affidavit stating that CHWA does not sell water to any entity other than its  
 LEG \_\_\_\_\_ members, there are no developers with a financial interest in the corporation, and the  
 LIN \_\_\_\_\_ association is owned entirely by the members. The wastewater service is mainly provided  
 \_\_\_\_\_ by septic tank, and a few members receive wastewater service from either Southern State  
 \_\_\_\_\_ Utilities or Charlotte County Utility.

OPC \_\_\_\_\_  
 RCH \_\_\_\_\_ The application acknowledged Section 837.06, Florida Statutes, regarding false  
 SEC \_\_\_\_\_ statements.

WAS \_\_\_\_\_ Based on the above, an order should be issued within 30 days granting CHWA's  
 QTH \_\_\_\_\_ request for exemption pursuant to Section 367.022(7), Florida Statutes, as a non-profit  
 association for the provision of water service. In the event of any change of circumstances  
 or method of operation of the water system, CHWA or its successor(s) in interest should  
 be required to notify the Commission within thirty days of such change.

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