



Public Service Commission

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

DATE: July 1, 1996

TO: Alice Crosby, Division of Legal Services
Division of Records and Reporting

FROM: Patricia Brady, Division of Water and Wastewater *pb*

RE: Docket No. ~~95-1393-FOF-WS~~ Resolution of the Board of County Commissioners of Manatee County declaring Manatee County subject to the provisions of Chapter 367, F.S. - Request for exemption for provision of water service by MARSHALLS' BRADEN RIVER MOBILE HOME PARK, 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 provisions 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-FOF-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 12, 1996, an application for a non-jurisdictional finding was filed on behalf of Marshalls Landing pursuant to Section 367.021(12), Florida Statutes. The application was signed by Mr. Steven K. Marshall, as President and primary contact. The registered name of the corporation is Marshalls' Braden River Mobile Home Park, Inc. (Marshalls Landing or the park). The mailing address for the system and Mr. Marshall is P.O. Box 518, Oneco, Florida 34264 (941/755-4973). The physical location of the system is 5524 53rd Avenue, East, Oneco, Florida. This location is in Manatee County.

Upon review by staff, it was determined that Mr. Marshall rents sites at the park both for short-term and long-term stays in which water service is provided for compensation. Wastewater service is provided by septic system. On May 24, 1996, Mr. Marshall filed dual applications for exemptions from regulation pursuant to Sections 367.022(4) & (5), Florida Statutes. In accordance with Rules 25-30.060(1), (2), (3)(d) and (3)(e), Florida Administrative Code, Mr. Marshall filed statements that water service is provided solely to guests or tenants, that there are no specific charges for the service and that the costs for providing the service are non-specifically included in lot rent. Mr. Marshall also provided an affidavit stating that there is no written rental agreement. By signing the application, Mr. Marshall acknowledged that he is aware of the penalty pursuant to Section 837.06, Florida Statutes, for knowingly making false statements in writing with the intent to mislead.

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