

**Commissioners:**  
THOMAS M. BEARD, CHAIRMAN  
MICHAEL WILSON  
BETTY HASKLEY  
J. TERRY DEASON

**State of Florida**



**STEVE TRIBBLE, Director**  
Division of Records and Reporting  
(904) 488-8371

**Public Service Commission**

**AUGUST 29, 1991**

**TO: All Interested Persons**  
**FROM: Steve Tribble, Director of Records and Reporting**  
**RE: Notice of Commission Conference**

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Attached is an excerpt of the Agenda for the Commission's regular conference, which is scheduled to begin at 9:30 a.m. on September 10, 1991 in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee. The attached excerpt summarizes the issues to be decided in a docket in which you have expressed an interest. As a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 488-8371.

Also, as a party of record or interested person, you may wish to attend the conference and address the Commission regarding the docket. If this is your intent, you will need to sign the appearance register, which is located on a table at the back of the hearing room near the double doors. (If you fail to sign the register, you may miss the opportunity to speak before the Commissioners vote on the docket.) The Chairman will then announce each item as it is taken up and ask for your comments at the appropriate time. Any comments you wish to make should be limited to approximately five minutes.

If you have any questions regarding this information, please feel free to call me.

ST:ds  
Attachment

**FLORIDA PUBLIC SERVICE COMMISSION**

**Fletcher Building  
101 East Gaines Street  
Tallahassee, Florida 32399-0850**

**MEMORANDUM**

**August 29, 1991**

**TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING**

**FROM : DIVISION OF WATER AND SEWER (VON FOSSEN) *RV* *F* *CA*  
DIVISION OF LEGAL SERVICES (JABER) *AT* *and***

**RE : UTILITY: SILVER OAKS SUBDIVISION  
DOCKET NO.: 910736-WU  
COUNTY: LAKE  
CASE: REQUEST FOR EXEMPTION FROM FLORIDA PUBLIC SERVICE  
COMMISSION REGULATION FOR A WATER SYSTEM IN LAKE COUNTY  
BY SILVER OAKS SUBDIVISION.**

**AGENDA : SEPTEMBER 10, 1991 - CONTROVERSIAL - PROPOSED AGENCY  
ACTION FOR ISSUE NO. 1 - PARTIES MAY PARTICIPATE**

**CRITICAL DATES: NONE**

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**CASE BACKGROUND**

Silver Oaks Subdivision (Silver Oaks) is a 38 lot residential subdivision. It is presently providing service to five homes without compensation. In Docket No.900712-WU, Southern States Utilities had filed an application to amend its Lake County certificate to include this system. However, this application was withdrawn when Southern States decided not to acquire the system. Silver Oaks was requested by staff to file for either an original certificate or an exemption by July 1, 1991.

DOCUMENT NUMBER-DATE

08622 AUG 28 1991

FPSC-RECORDS/REPORTING



DOCKET NO. 910736-WU  
AUGUST 29, 1991

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should Silver Oak's exemption request be approved?

**RECOMMENDATION:** No, the application should be denied and Silver Oaks should be ordered to file an application for an original certificate within 90 days of the date of the order. Further, the utility shall not implement any rates or charges pending finalization of the certification docket. (VON FOSSEN)

**STAFF ANALYSIS:** On July 1, 1991, Silver Oaks applied for an exemption pursuant to Section 367.022(6), Florida Statutes. This exemption is for systems with the capacity or proposed capacity to serve 100 or fewer persons. As part of its application, the utility attached a letter from the Department of Environmental Regulation to verify its plant capacity. This letter indicates that the plant capacity is 122,000 gallons per day. Based upon average usage of 100 gallons per day per person, the 100 person limit, to qualify for an exemption, would equate to plant capacity of 10,000 gallons per day.

Since the utility's plant capacity is well in excess of 10,000 gallons per day, it does not qualify for exemption. Therefore, we recommend that the exemption request be denied and that the utility should be ordered to file an application for an original certificate within 90 days of the date of the order denying the exemption. Additionally, since the utility is presently providing service without compensation, it should be ordered not to implement any rates or charges pending finalization of its certification docket.

DOCKET NO. 910736-WU  
AUGUST 29, 1991

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes, this docket should be closed if no timely protests are filed to the proposed agency action issue. (Jaber)

**STAFF ANALYSIS:** If there are no timely protests to the proposed agency action issue No. 1, no further action is required in this docket and it may be closed.

(SILVER.RVF)