



**Public Service Commission**

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

**DATE:** October 16, 1996  
**TO:** Alice Crosby, Division of Legal Services  
 Division of Records and Reporting  
**FROM:** Patricia Brady, Division of Water and Wastewater *pb [signature]*  
**RE:** Docket No. ~~941044~~-WS: Resolution of Board of Commissioners of Charlotte County declaring Charlotte County subject to provisions of Chapter 367, F.S. - Request for non-jurisdictional finding for provision of water service by PRICE SANDERS SCOUT RESERVATION.

On September 27, 1994, the Board of Commissioners of Charlotte County adopted Resolution No. 94-195, pursuant to Section 367.171, Florida Statutes, declaring that as of September 27, 1994, 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 28, 1994, by Order No. PSC-94-1451-FOF-WS. Pursuant to Section 367.031, 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 September 3, 1996, a revised application for a non-jurisdictional finding was filed on behalf of Price Sanders Scout Reservation (Price Sanders) pursuant to Section 367.021(12), Florida Statutes, by the Mr. Akerman. Mr. Akerman is a corporate officer of the Southwest Florida Council, Inc., Boy Scouts of America, (B.S.A.) which owns Price Sanders. Price Sanders is a registered fictitious name for B.S.A. Mr. B.L. Pratt is the primary contact for the application. The address for Mr. Pratt and the physical location and service territory for Price Sanders is 38751 Bermont Road, Punta Gorda, Florida 33982 (941/639-4800), in Charlotte County.

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In accordance with Section 367.021(12), Florida Statutes, and Rules 25-30.060(1) and (3)(j), Florida Administrative Code, Mr. Akerman signed a statement that there is no charge for providing water service and that all costs are recovered as operational expenses. Price Sanders' wastewater service is handled by septic system. Mr. Akerman has also 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.

Section 2.08(C)(14) of the Administrative Procedures Manual grants staff authority to administratively approve requests for determination of exempt status that are clear-cut and without controversy. Staff finds the application in compliance with statutory requirements and without apparent controversy. Staff recommends that an administrative order be issued finding Price Sanders Scout Reservation non-jurisdictional pursuant to

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Section 367.021(12), Florida Statutes. Staff recommends that the order require the current owner, or any successors in interest, of Price Sanders to notify the Commission within 30 days of any change in circumstances or method of operation which causes it to no longer qualify for exemption pursuant to Section 367.022, Florida Statutes. This docket should remain open to process additional exemptions.