



Public Service Commission

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

DATE: June 20, 1995

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

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

RE: Docket No. 941044-WS: Resolution of Board of County Commissioners of Charlotte County Declaring Charlotte County Subject to the Provisions of Chapter 367, Florida Statutes - Request for Exemption for Provision of Water Service by Friendship United Methodist Church

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 June 6, 1995, a petition for non-jurisdictional exemption from regulation by the Florida Public Service Commission was filed on behalf of Friendship United Methodist Church (Friendship UMC or the Church) pursuant to Section 367.021(12), Florida Statutes. The Church is a corporation located in Charlotte County which provides water service to the public without charge. The application was signed by Timothy M. Fisher who is the current Chairman of the Trustees for the Church. The primary contact person is Mr. Carl Harmon, another trustee, whose address and phone number are 3101 Palm Drive, Punta Gorda, Florida 33950 (813/575-2586). The physical location and service territory for Friendship UMC is 12275 Paramount Drive, Punta Gorda, Florida. The mailing address is P.O. Box 1317, Punta Gorda, Florida 33950.

In accordance with Section 367.021(12), Florida Statutes, and Rule 25-30.060(3)(j), Florida Administrative Code, Mr. Fisher filed a statement that there is no charge for providing water service and that all costs are recovered as operational expenses. Friendship UMC's wastewater is handled by septic system. Mr. Fisher has 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.

- ACK _____
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Section 2.08(C)(14) of the Administrative Procedures Manual grants staff the administrative authority to 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 therefore recommends that an administrative order be issued finding Friendship United Methodist Church exempt from Commission regulation pursuant to Section 367.021(12), Florida Statutes.

Staff also recommends that the order require the current trustees of Friendship UMC, or their successors, to notify the Commission within 30 days of any change in circumstances or method of operation of the church's water or wastewater systems so that its exempt status may be reevaluated. This docket should remain open to process other exemption applications for Charlotte County.

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Florida Public Service Commission
Division of Water and Wastewater

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FORM 10
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APPLICATION FOR NON-JURISDICTIONAL ENTITIES
SECTION 367.021(12), FLORIDA STATUTES
RULE 25-30.060(j), FLORIDA ADMINISTRATIVE CODE

NAME OF SYSTEM: FRIENDSHIP UNITED METHODIST CHURCH

PHYSICAL ADDRESS OF SYSTEM: 12275 PARAMOUNT DRIVE
PUNTA GORDA, FLORIDA

MAILING ADDRESS (IF DIFFERENT): P.O. Box 1317
PUNTA GORDA, FLORIDA 33950

COUNTY: CHARLOTTE

PRIMARY CONTACT PERSON:

NAME: CARL HARMON

ADDRESS: 3101 PALM DRIVE
PUNTA GORDA, FL. 33950

PHONE #: (813) 575-2586

NATURE OF APPLICANT'S BUSINESS ORGANIZATION: (CORPORATION, PARTNERSHIP, SOLE PROPRIETOR, ETC.) CORPORATION

I believe this system to be exempt from the regulation of the Florida Public Service Commission pursuant to Section 367, Florida Statutes, for the following reasons:

1. There is no charge for providing utility service.
2. All costs of providing service are treated or recovered as operational expenses.
3. The System provides (CHOOSE THE ONE THAT IS APPLICABLE):
Water only _____
Wastewater only _____
Both X (WASTEWATER IS SEPTIC)
4. The service territory is located at: 12275 PARAMOUNT DR.
PUNTA GORDA, FL.

APPLICATION FOR NON-JURISDICTIONAL ENTITIES

I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in S. 775.082, S. 775.083, or S. 775.084.

Timothy M. Fisher
(Applicant please print or type)

5/30/95
(Date)

Timothy M. Fisher
(Signature)

Chairman of the trustees
(Title)

When you finish filling out this application, the original and two copies should be mailed to: Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0850.