



# Public Service Commission

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

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**DATE:** December 19, 1995  
**TO:** Division of Records and Reporting  
Division of Legal Services, Alice Crosby  
**FROM:** Division of Water & Wastewater, J. Travis Coker *JTC BSM GDM*  
**RE:** DOCKET NO. 951235-WS; Resolution of the Board of County Commissioners of Manatee County subject to the provision of Chapter 367, F.S. - exemption request for water and wastewater service by Jigg's Landing Fish Camp.

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On October 10, 1995, the Manatee County Board of County Commissioners adopted Resolution No. R-95-109, pursuant to Section 367.171, Florida Statutes, declaring the privately owned water and wastewater utilities in Manatee County subject to the provisions of Chapter 367, Florida Statutes, effective October 10, 1995. The Florida Public Service Commission received Manatee County's resolution on October 17, 1995. The effect of the resolution is to invoke Public Service Commission jurisdiction over privately owned water and wastewater systems in Manatee County. 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 December 6, 1995, Mr. Carroll Ray Courson filed an application on behalf of Jigg's Landing Fish Camp (Jigg's Landing) for an exemption as a water and wastewater service provider from the Florida Public Service Commission under Section 367.022 (5), Florida Statutes, and Rule 25-30.060(3)(e), Florida Administrative Code as an exempt landlord-tenant entity. Mr. Courson has leased the property from the owners for a period of twelve years. The location of the water and wastewater systems is 6106 63rd Street East, Bradenton, Florida, 34203. The camp includes nine mobile homes and five cottages. The service area consists of approximately four acres. The mailing address is the same as the above address. Mr. Courson, the operator of Jigg's Landing, will remain as the contact person for Commission purposes. Jigg's Landing is a recreational fishing camp operating as a sole-proprietorship. Water service is provided by a well. Wastewater service is provided by multiple septic tanks.

In its application, Jigg's Landing states it provides water and wastewater service and there is no charge for providing utility service. Additionally, all costs of providing service are treated or recovered as operational expenses. The applicant acknowledged Section 837.06, Florida Statutes, regarding false statements.

Based upon the facts presented herein, staff believes Jigg's Landing is exempt from Commission regulation as a water and wastewater service provider as defined by Section 367.022(5), Florida Statutes, and Rule 25-30.060(3)(e), Florida Administrative Code.

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Section 2.08(C)(14) of the Administrative Procedures Manual (APM) gives staff the administrative authority to approve requests for exempt status when the application is clear-cut and without controversy. Staff recommends that an administrative order be issued within 30 days indicating the exempt status of Jigg's Landing. The order should provide that in the event of any change of circumstances or method of operation, Jigg's Landing, or its successor(s) in interest should notify the Commission within thirty days of such change so that its exempt status may be reevaluated.

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