

Commissioners:
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DIVISION OF WATER
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

May 8, 1996

Mr. James McFadden
Southwest Florida Council, Inc., BSC
1801 Boy Scout Drive
Ft. Myers, Florida 33907

Dear Mr. McFadden:

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 non-jurisdictional finding for provision of water service by PRICE SANDERS SCOUT RESERVATION

The attached application for a non-jurisdictional finding was recently filed with the Commission on behalf of Price Sanders Scout Reservation. Mr. B. L. Pratt completed the application in response to the attached March 5, 1996, letter from staff. As stated on the front of the form, the application must be signed by an "owner." In this case, an owner would be a corporate officer of Southwest Florida Council, Inc. I am attaching a revised form for signature by an officer of the Council.

There is one other issue that needs to be resolved with regard to the application. Commission orders can only be issued to entities properly registered with the State. The Southwest Florida Council is properly registered as a Florida corporation. However, Price Sanders Scout Reservation is not registered as a fictitious name for the Council. You need to contact the Florida Department of State, Division of Corporations at (904) 488-9000 to find out whether or not the reservation is required to be registered as a fictitious name. If so, please include a copy of your filing for a fictitious name along with the revised application.

The original and four copies of the revised application should be sent by May 31, 1996, to the:

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE

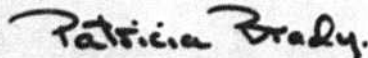
SEE FILE 623441840

Mr. James McFadden
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**Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

If you have any questions, please feel free to contact me at (904) 413-6686.

Sincerely,



Patricia L. Brady
Regulatory Analyst III
Bureau of Policy Development
and Industry Structure

PLB:plb

Attachments: (3)

cc: Mr. B. L. Pratt (with attachments)
Boy Scouts of America
38751 Bermont Road
Punta Gorda, Florida 33982

Christine Tomlinson, WAW Division
Alice Crosby, Legal Division
Records and Reporting

MAR 10 1996

SECTION 367.021(12), FLORIDA STATUTES
RULE 25-30.060(3)(j), FLORIDA ADMINISTRATIVE CODE
Florida Public Service Commission
Division of Water and Wastewater

The application must be signed by the owner or accompanied by a Letter of Authorization from the owner.

NAME OF SYSTEM: PRICE SANDERS SCOUT RESERVATION

PHYSICAL ADDRESS OF SYSTEM: 38751 BERMONT ROAD
PUNTA GORDA, FL. 33982

COUNTY WHERE SYSTEM IS LOCATED: CHARLOTTE

NAME OF SYSTEM OWNER(S): SOUTHWEST FLORIDA COUNCIL
BOY SCOUTS OF AMERICA

MAILING ADDRESS (IF DIFFERENT): 1801 BOY SCOUT DR
FT. MYERS, FL. 33907

PRIMARY CONTACT PERSON:

NAME: B.L. PRATT

ADDRESS: 38751 BERMONT ROAD
PUNTA GORDA, FL 33982

PHONE NO.: (941) 639-4800

NATURE OF OWNER'S BUSINESS ORGANIZATION (CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP, SOLE PROPRIETOR, ASSOCIATION, ETC.).

CORPORATION

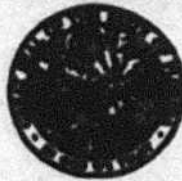
I believe this system to be exempt from the regulation of the Florida Public Service Commission pursuant to Section 367, Florida Statutes, for the following reasons:

1. There is no charge for providing utility service.
2. The costs of providing utility service are treated or recovered as operating expenses.

State of Florida

Commissioners:

**SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA**



**DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900**

Public Service Commission

March 5, 1996

**Mr. Cap Pratt
Property Superintendent
Price Sanders Scout Reservation
38751 Bermont Road
Punta Gorda, Florida 33982**

Dear Mr. Pratt:

Re: Docket No. 941044-WS, Resolution of the 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 Price Sanders Scout Reservation.

Attached is the form we spoke about over the phone for you to file an application for a non-jurisdictional finding for Price Sanders Scout Reservation. If Price Sanders Scout Reservation provides water service to the public without charge and recovers the costs as operational expenses, then it is not considered a "utility" with respect to Florida Statute 367.021(12) and the Commission has no jurisdiction.

When filling out the application form, please do not leave any items blank. If the item doesn't apply, put "not applicable." The original and four copies of the form must be filed with:

**Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

APPLICATION FOR NON-JURISDICTIONAL ENTITIES
SECTION 367.021(12), FLORIDA STATUTES
RULE 25-30.060(3)(j), FLORIDA ADMINISTRATIVE CODE

The application must be signed by
the owner or accompanied by a Letter
of Authorization from the owner.

NAME OF SYSTEM: PRICE SANDERS SCOUT RESERVATION

PHYSICAL ADDRESS OF SYSTEM: 38751 Bermont Road, Punta Gorda,
Florida 33982

COUNTY WHERE SYSTEM IS LOCATED: Charlotte

NAME OF SYSTEM OWNER(S): Southwest Florida Council, Inc., Boy
Scout of America

MAILING ADDRESS (IF DIFFERENT): 1801 Boy Scout Drive, Ft.
Myers, Florida 33907

PRIMARY CONTACT PERSON:

NAME: Mr. B. L. Pratt

ADDRESS: 38751 Bermont Road, Punta Gorda, Florida 33982

PHONE NO.: (941) 639-4800

NATURE OF OWNER'S BUSINESS ORGANIZATION (CORPORATION, PARTNERSHIP,
LIMITED PARTNERSHIP, SOLE PROPRIETOR, ASSOCIATION, 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.

APPLICATION FOR NON-JURISDICTIONAL ENTITIES

2. The costs of providing utility service are treated or recovered as operating expenses.
3. The utility services provided are:

Water Yes Wastewater
or Septic Yes

For service not provided, please state who provides:

Not Applicable

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 or s. 775.083, F.S.

(Date)

Owner's Signature

Owner's Name (Typed or Printed)

Owner's Title

The original and four copies of the completed application should be mailed to:

Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850.