



COUNTY OF CHARLOTTE

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ORIGINAL

February 1, 2001

RENEE FRANCIS LEE
COUNTY ATTORNEY

VIA FEDERAL EXPRESS

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RECORDS AND REPORTING

Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 000604-TL

Dear Ms. Bayo:

Enclosed are the original and fifteen (15) copies of "Charlotte County's Notice of Filing" of the Prefiled Direct Testimony of Mac V. Horton and Elliot Kampert in the above-referenced proceeding.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

Martha Young Burton
Assistant County Attorney

- APP _____
- CAF _____
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MYB:am
Enclosures

cc: Renee Francis Lee, County Attorney

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FPSC-RECORDS/REPORTING

STATE OF FLORIDA
BEFORE THE PUBLIC SERVICE COMMISSION

In re: REQUEST FOR REVIEW OF PROPOSED
NUMBERING PLAN RELIEF FOR THE 941
AREA CODE.

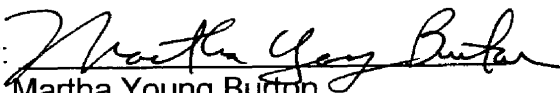
Docket No. 000604-TL

CHARLOTTE COUNTY'S NOTICE OF FILING

CHARLOTTE COUNTY, by and through its undersigned attorneys, hereby notices the filing of the Prefiled Direct Testimony of Mac V. Horton and Elliot Kampert.

Respectfully submitted this 15th day of February, 2001.

Charlotte County Attorney's Office
Reneé Francis Lee, County Attorney
Martha Young Burton
Assistant County Attorney
18500 Murdock Circle
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(941) 743-1330
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By: 
Martha Young Burton
Assistant County Attorney
Fla. Bar No. 398179

**CERTIFICATE OF SERVICE
DOCKET NO. 000604-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition to Intervene has been served by U.S. Mail on this ___ day of _____, 2001 to the following:

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PRE-FILED DIRECT TESTIMONY
OF
MAC V. HORTON
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
CHARLOTTE COUNTY, a political subdivision of the
STATE OF FLORIDA
DOCKET NO. 000604-TL

1 **Q. Please state your name and business address.**

2 A. My name is Mac V. Horton. My business address is Charlotte County Government,
3 18500 Murdock Circle, Port Charlotte, Florida.
4

5 **Q. What is your position with Charlotte County Government and how long have you held**
6 **this position?**

7 A. I am a member of the Charlotte County Board of County Commissioners. I was elected to
8 a four-year term on the Board representing District 3 in November 1996, and reelected to a
9 second four-year term in November 2000. District 3 includes that portion of the Englewood
10 community which is located in Charlotte County. The Board at its January 9, 2001, meeting
11 chose me as its representative before the Public Service Commission.
12

13 **Q. Docket No. 000604-TL is before the Florida Public Service Commission to review the**
14 **proposed numbering plan relief for area code 941. The Industry recommends an all**
15 **services distributed overlay for the 941 area code, or, if the Commission decides**
16 **against an overlay, a geographic split (described as "Alternative #4") between Charlotte**
17 **and Lee Counties, with the Northern counties ("Area A") having a projected life of**
18 **seven (7) years, and the Southern counties ("Area B") having a projected life of ten (10)**
19 **years. As Charlotte County's official representative, do you have any concerns about**
20 **the overlay relief plan recommended for the 941 area by the Industry?**
21

22 A. Yes. My primary concern is the citizens of Charlotte County. We are probably the third
23 oldest county in the nation. I understand that an overlay would require the use of ten-digit
24 dialing for every call, and that area codes would no longer retain their geographic identity.
25 Ten-digit dialing might be accepted and appropriate in more metropolitan areas with more
26 densely located urban populations, but it could be extremely confusing and difficult for our
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1 high percentage of elderly citizens. Charlotte County's area code was changed from 813 to
2 941 just five years ago, in 1996. Frequent changes of this kind are extremely confusing and
3 unsettling to an older population. In addition, an overlay would increase our emergency
4 response and evacuation call times and add confusion to our emergency team's efforts to
5 contact special needs evacuees, many of whom are elderly.

6
7 **Q. If the Commission decides not to adopt an overlay, a geographic split has been**
8 **recommended by the Industry. Do you have any specific concerns about how a**
9 **geographic split could affect Charlotte County?**

10
11 **A.** Yes. While I understand the need to address the area code problem because of the exhaustion
12 of available numbers, the expense and confusion which result from an area code change are
13 tremendous. An area code change has a tremendous negative financial impact on government
14 offices and commercial businesses. And the impact is magnified when those changes occur
15 so often. As the designated representative from Charlotte County's highest elected body, I
16 would like to focus on three main concerns about an area code split dividing Charlotte
17 County: our sense of community, tourism and economic development, and emergency
18 management services.

19
20 1. Splitting the area code within Charlotte County would significantly alter our sense of
21 community. Charlotte County contains several diverse geographic and population areas,
22 resulting in a psychological perception of different communities. Notable progress has been
23 made to bring together all the geographic areas of Charlotte County. To mark a river or a
24 road as a cut-off point separating one area code from another would be erecting a man-made
25 barrier that could cripple our community. As the County Commissioner for District 3 and a
26 long-time resident of Englewood, I am also very concerned about the impact of a nearby
27

1 boundary line on the Englewood community, which is uniquely located in both Charlotte and
2 Sarasota Counties. In fact, Charlotte, Sarasota, and Manatee Counties all share a community
3 of interests, with many joint and shared services. For example, in January 2001, the Charlotte
4 and Sarasota Commissions agreed to share costs for the creation and installation of
5 "Gateway" welcome signage for the Englewood area. Charlotte County's only gulf beaches
6 are in Englewood, whereas the rest of the County consists of bays, rivers, and estuaries. Our
7 citizens continuously travel back and forth across the County lines between Charlotte,
8 Sarasota, and Manatee Counties, as they drive from home to work and shopping. The three
9 counties need to be treated as a unit for the planning of infrastructure and citizen services,
10 including area codes.

11
12 2. Splitting Charlotte County would also significantly impact our continued economic
13 development efforts. It is extremely expensive and time-consuming for small businesses, such
14 as those that predominate in Charlotte County, to make the necessary changes to
15 communications and advertising materials, as well as technical equipment, that would be
16 required by multiple area codes. Many of these small businesses have office locations on both
17 sides of the Peace River, the dividing line for Alternative #3. Managing a small business with
18 more than one area code in the County could result in astronomical expenses, especially for
19 those in tourism where circulation is literally world wide. Charlotte County is now
20 positioning itself through the marketing efforts of the Chamber, Visitors Bureau, Economic
21 Development Council and the Airport Authority, with the material describing the entire
22 community. The County's Tourist Development Council is in the midst of a major marketing
23 effort to unify the public's perception of Charlotte County as one physical travel destination,
24 thus resolving what really has been an identity problem. Dividing any part of the community
25 would set our efforts back years.

1 3. Having two or more different area codes in Charlotte County would significantly impact
2 the County's planning for and provision of government emergency management services.
3 Charlotte County and the City of North Port, in Sarasota County, have a long-standing "first
4 response" agreement for emergency services. There would be delays in calling from 800 to
5 1000 Special Needs Registrants to notify them of an impending evacuation. (These people
6 are transportation-dependent and are evacuated by Charlotte County resources.) Any
7 changes of area codes within Charlotte County would cause a loss of emergency management
8 manpower due to the time required to reprogram fax machines (over 100 numbers) and the
9 automatic notifier (over 400 numbers).

10
11 **Q. Which of the proposed Alternatives does Charlotte County support, and why?**

12 A. Charlotte County supports "Alternative #4," a geographic split between Charlotte and Lee
13 Counties, as the best alternative and the one which would least harm the citizens. There is a
14 natural population break between Charlotte and Lee Counties, which is recognized,
15 encouraged, and supported by growth management agencies and planning officials. (Elliot
16 L. Kampert, the County's Planning Services Manager, will address these efforts in his
17 testimony.) But most importantly, Alternative #4 allows Charlotte, Sarasota, and Manatee
18 Counties to stay together and share the same area code, which is imperative, given the
19 interwoven relationships that are shared by our local governments and by our citizens.

20
21 **Q. Does this conclude your direct testimony?**

22 A. Yes, it does, but I would like to reserve the right to update my testimony and address any new
23 concerns at the future hearings for this docket.

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PRE-FILED DIRECT TESTIMONY
OF
ELLIOT L. KAMPERT
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
CHARLOTTE COUNTY, a political subdivision of the
STATE OF FLORIDA
DOCKET NO. 000604-TL

1 **Q. Please state your name and your business address.**

2 A. Elliot L. Kampert, Charlotte County Administration Center, 18500 Murdock Circle, Port
3 Charlotte, Florida 33948.

4
5 **Q. What is your position with Charlotte County?**

6 A. I am the Planning Services Manager.

7
8 **Q. Please briefly state your background and describe your responsibilities.**

9 A. I have been employed by Charlotte County for almost eleven years. My current
10 responsibilities include the development and implementation of the County's Comprehensive
11 Plan, and the implementation of current County zoning ordinances, including floodplain
12 management (exclusive of structural details of construction in the regulatory floodplain). I
13 work with elected officials, advisory boards, and the public as required in the fulfillment of
14 my duties. I hold an AICP accreditation through the American Institute of Certified Planners.

15
16 **Q. Docket No. 000604-TL is before the Florida Public Service Commission to review the**
17 **proposed numbering plan relief for area code 941. The Industry recommends an all**
18 **services distributed overly for the 941 area code, or, if the Commission decides against**
19 **an overlay, a geographic split (described as "Alternative #4") between Charlotte and**
20 **Lee Counties, with the Northern counties ("Area A") having a projected life of seven**
21 **(7) years, and the Southern counties ("Area B") having a projected life of ten (10)**
22 **years. As Charlotte County's main planning official, do you have any concerns about**
23 **the overlay relief plan recommended for the 941 area by the Industry?**

24
25 A. Yes. Charlotte County does not support an overlay. Approximately one third of our
26 population are age 65 or older. Charlotte County's population is one of the oldest in the State

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1 of Florida, and even the nation. Having to dial ten digits for every call, and not being able to
2 identify which numbers were long distance and which were local by the area code and prefix,
3 would be extremely confusing and difficult for our elder population.
4

5 **Q. If the Commission decides against an overlay, which alternative do you feel is best for**
6 **Charlotte County, and why?**

7 A. Charlotte County supports Alternative #4, a geographic split of the present 941 area between
8 Charlotte and Lee Counties, for several significant reasons. First I will explain why we
9 oppose any geographic split that divides Charlotte County:
10

11 1. The County is already divided by two rivers and a harbor, which form psychological as
12 well as geographical barriers. As a local government trying to provide services and utilize
13 planning efforts to establish a sense of community, we are already handicapped. Of the
14 several proposed splits, any division of Charlotte County will further enhance that disconnect.
15 This is especially true of any split which would divide Mid-County and West County. West
16 County is actually a peninsula that shares the community of Englewood with Sarasota
17 County. Many businesses in West County refer to themselves as being in the "Englewood
18 area," rather than either Charlotte or Sarasota County, as they serve areas in both Charlotte
19 and Sarasota Counties.
20

21 2. Charlotte County's building permit activity also reflects the close tie between Central and
22 West County. (See Exhibit 1.) Using new residential and commercial permits over the past
23 three years as indicators, Mid-County is still experiencing the greater overall growth (1,395
24 permits); however, West County is a narrow second with only 185 fewer permits, while the
25 South/East segment of the County is a somewhat distant third.
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1 3. The close relationship between Charlotte and Sarasota Counties is further evidenced by
2 our cooperation on public projects, such as the regional beach renourishment program, which
3 is in its early stages of development; Sarasota County's financial assistance with the dredging
4 of Stump Pass, which is a resource for both counties; and the cooperative efforts of both
5 Charlotte and Sarasota County Commissions resulting in the initiation of the Winchester
6 Boulevard evacuation route, beginning in Charlotte County and terminating in Sarasota
7 County. Projects such as Winchester are addressed by the Englewood Area Planning
8 Advisory Board, comprised of representatives from both sides of the County line (i.e.,
9 Charlotte and Sarasota), as well as the City of North Port.

10
11 4. The City of North Port itself may be viewed as a northward extension of Charlotte
12 County; in fact, the name "North Port" is a contraction of *North Port Charlotte*, as originally
13 named by its creator, General Development Corporation (GDC). GDC also created the
14 majority of the platted subdivisions in Charlotte County, planning residential communities in
15 North Port and around the Port Charlotte area, with Murdock serving as the primary
16 commercial and industrial core. Today the Murdock area is anchored by the Port Charlotte
17 Town Center Mall, a regional shopping center drawing customers from North Port and
18 Venice in Sarasota County, as well as all of Charlotte County.

19
20 Now I will explain why Charlotte County supports Alternative #4, a geographic split between
21 Charlotte and Lee Counties, as the best and most logical choice:

22
23 1. Most of Charlotte County (all of the heavily-populated areas) is in the Southwest Florida
24 Water Management District (SWFWMD), while all of Lee County is in the South Florida
25 Water Management District (SFWMD). Though their mandates are similar, SWFWMD and
26 SFWMD have differing priorities. SFWMD is primarily concerned with the
27

1 Everglades/Kissimmee River restoration, Caloosahatchee River water issues, the Everglades
2 agricultural area, and Florida's Southeast Coast (SFWMD headquarters is in Palm Beach
3 County). The major water resource located in Charlotte County which SFWMD is concerned
4 with is Telegraph Swamp, located in the southeast corner of Charlotte County, in its least
5 populated area. Telegraph Swamp's owner (Babcock Florida Company) recently created a
6 PSC-regulated utility (Town and Country Utilities) in order to become a bulk water provider
7 primarily for users in Lee County.

8
9 2. With the exception of two relatively small subdivisions, Burnt Store Lakes and Burnt
10 Store Marina, which are serviced by a private utility company, Charlotte and Lee Counties
11 share no significant population centers. (See Exhibit 2.)

12
13 3. Through their respective environmental land acquisition programs, Charlotte and Lee
14 Counties have actively begun the task of blocking urban sprawl at the Charlotte/Lee County
15 line. One project in particular, the 17,000-acre Charlotte Harbor Flatwood project, which
16 straddles the line between US 41 and Burnt Store Road, has been cited by Charlotte County,
17 the Florida Department of Community Affairs, and others as the "sprawl stopper" which will
18 prevent the linkage of Cape Coral and Tropical Gulf Acres/South Punta Gorda Heights.
19 Further, through its Conservation 2020 Program, Lee County is acquiring an additional 2,400
20 acres with its north boundary the Charlotte County line, which will preclude sprawl (i.e., the
21 linking of North Fort Myers with Charlotte County) north of the Del Prado extension. Lee
22 County has also acquired approximately 1,000 acres adjacent to the Flatwoods and the
23 Charlotte Harbor Conservation and Recreation Lands (CARL) projects.

24
25 In summary, any area code split of Charlotte County, or that separates Charlotte from
26 Sarasota County, will harm our citizens. But a split between Charlotte and Lee Counties will
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1 not affect us and, in fact, is supported by County, regional, and state-wide planning efforts.

2

3 **Q. Does this conclude your testimony?**

4 A. Yes, it does.

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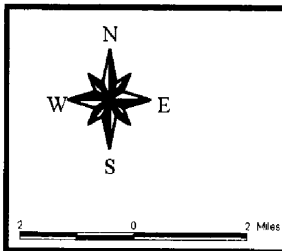
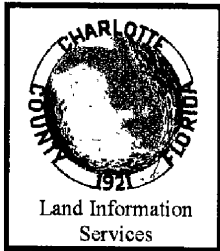
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REGIONAL PERMITTING ACTIVITY

Mapped January 29, 2001 by Lisa M. Caldwell

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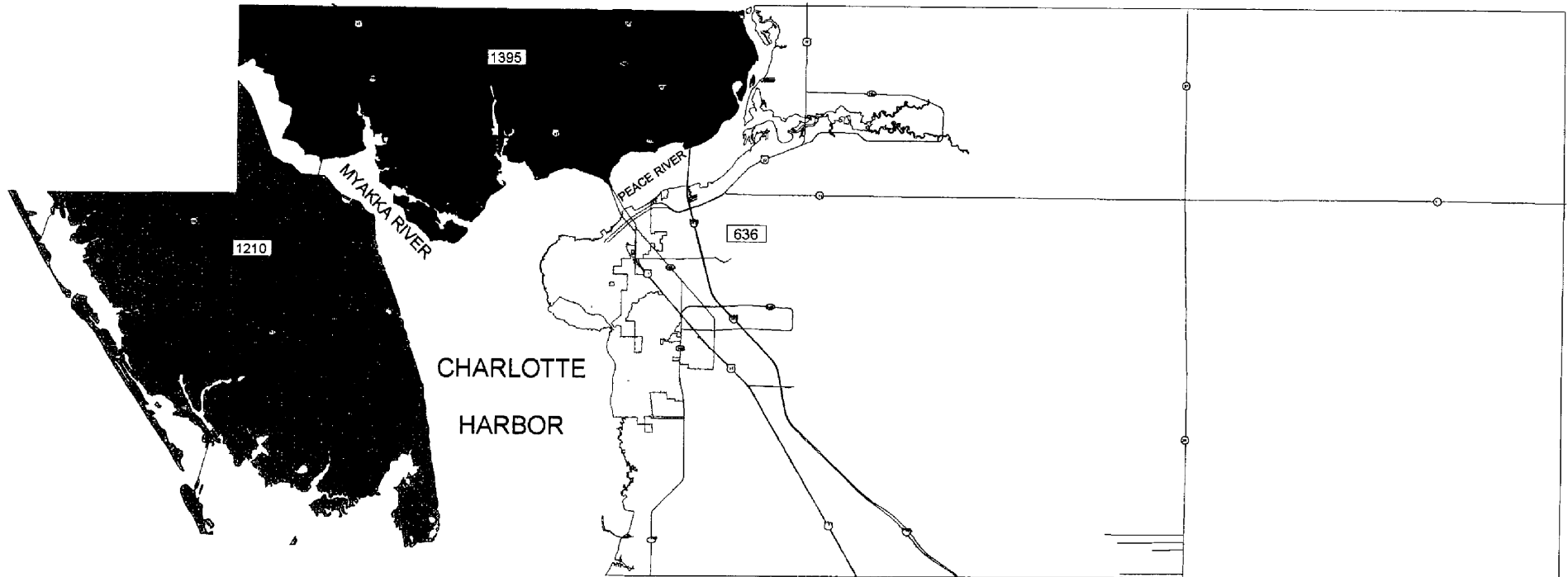


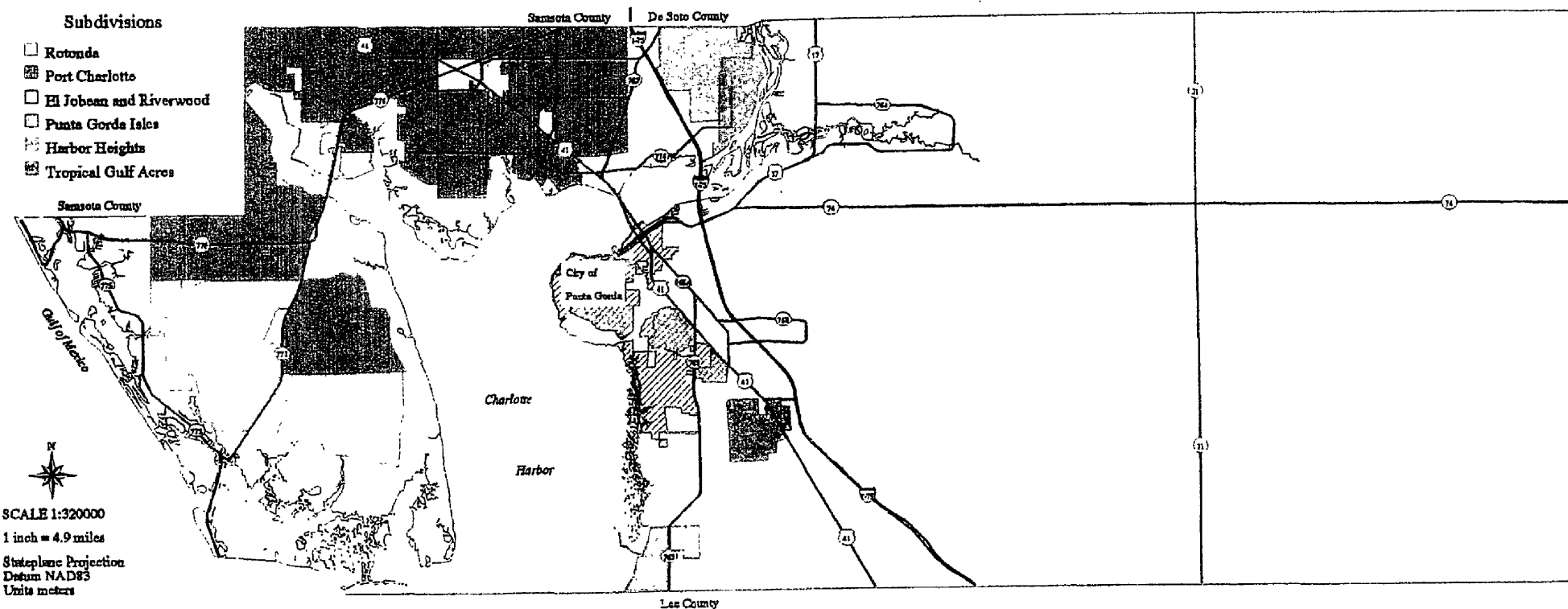
EXHIBIT
1

- SOUTH/EAST COUNTY
- MID CHARLOTTE COUNTY
- WEST CHARLOTTE COUNTY
- CITY OF PUNTA GORDA

NUMBER OF NEW RESIDENTIAL & COMMERCIAL PERMITS FOR 1998, 1999, AND 2000

Exhibit 2

Map 1.4 Major Platted Land Subdivisions within Charlotte County



SOURCE: Charlotte County Planning Staff

Charlotte County Community Development Department
 Map Prepared by Land Information Services - JAR
 Draft Date 8/8/96