

FLORIDA PUBLIC SERVICE COMMISSION
Fletcher Building, 101 East Gaines Street
Tallahassee, Florida 32399-0850

MEMORANDUM

OCTOBER 27, 1994

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF WATER & WASTEWATER (COKER) *JTC 11/11/94*
DIVISION OF LEGAL SERVICES (EDMONDS) *LAJ LR*

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, F.S. -
COUNTY: CHARLOTTE

AGENDA: NOVEMBER 8, 1994 - REGULAR AGENDA - INTERESTED PERSONS
MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\WAW\WP\941044.WS

DOCUMENT NUMBER-DATE

10855 OCT 26 1994

FPSC-RECORDS/REPORTING

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CASE BACKGROUND

On September 27, 1994, the Charlotte County Board of County Commissioners adopted Resolution No. 94-195, pursuant to Section 367.171, Florida Statutes, declaring the privately owned water and wastewater utilities in Charlotte County subject to the provisions of Chapter 367, Florida Statutes, effective September 27, 1994. The Florida Public Service Commission received Charlotte County's resolution on September 30, 1994. The effect of the resolution is to invoke Public Service Commission jurisdiction over privately owned water and wastewater systems in Charlotte County.

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DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge Charlotte County's resolution transferring regulatory jurisdiction over privately owned water and wastewater utilities to the Commission?

RECOMMENDATION: Yes, the Commission should acknowledge Charlotte County's resolution and direct all privately-owned water and wastewater utilities in Charlotte County to comply with the provisions of Chapter 367, Florida Statutes. (COKER)

STAFF ANALYSIS: The Commission should issue an order acknowledging the transfer of jurisdiction and advising utilities in Charlotte County of the necessity of complying with Section 367.171, Florida Statutes (F.S.) and Public Service Commission procedures. Section 367.171 F.S., outlines the effectiveness of Chapter 367, F.S., once a county has adopted a resolution declaring that such county is subject to the jurisdiction of the Commission. Staff has obtained a listing of all water and wastewater utilities in Charlotte County from the Department of Environmental Protection. In addition, staff will schedule a meeting with the utilities in Charlotte County to distribute relevant materials and explain Commission regulatory practice and procedures.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. (COKER)

STAFF ANALYSIS: This is a generic docket to bring all privately owned water and wastewater utilities in Charlotte County under the jurisdiction of the Public Service Commission. These utilities will file an application for either a grandfather certificate or an exemption. This docket should remain open until these applications have been filed and docketed, and all exempt utilities reviewed by the Commission. This docket may be closed at the conclusion of the review process.