

FLORIDA PUBLIC SERVICE COMMISSION  
Capital Circle Office Center • 2540 Shumard Oak Boulevard  
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**M E M O R A N D U M**

OCTOBER 26, 1995

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

FROM: DIVISION OF WATER & WASTEWATER (TOMLINSON) *[Handwritten initials]*  
DIVISION OF LEGAL SERVICES (PELLEGRINI) *[Handwritten initials]*

RE: DOCKET NO. ~~95-1235WS~~ - RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF MANATEE COUNTY DECLARING MANATEE COUNTY  
SUBJECT TO THE PROVISIONS OF CHAPTER 367, F.S. -  
COUNTY: MANATEE

AGENDA: NOVEMBER 7, 1995 - REGULAR AGENDA - PARTIES MAY  
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

LOCATION OF FILE: I:\PSC\WAW\WP\951235WS.BCM

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DOCUMENT ID: 10494  
DATE: OCT 26 1995  
FROM: RECORDS & REPORTING

**DOCKET NO. 951235-WB**  
**DATE: OCTOBER 26, 1995**

**CASE BACKGROUND**

On October 10, 1995, the Manatee County Board of County Commissioners adopted Resolution No. R-95-109. This resolution declares the water and wastewater utilities in that county subject to the provisions of Chapter 367, Florida Statutes. 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 water and wastewater systems in Manatee County.

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DATE: OCTOBER 26, 1995

**DISCUSSION OF ISSUES**

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

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

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

STAFF ANALYSIS: This is a generic docket to bring all utilities under the jurisdiction of the Public Service Commission. All utilities will be required to file an application for either a grandfather certificate or an exemption. All exemptions will be processed under this docket, therefore this docket should remain open until these applications have been filed and docketed, and all exempt utilities reviewed by the Commission. Grandfather applications will be processed under their own individual dockets. This docket may be closed at the conclusion of the review process.