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STATE OF FLORIDA



ADRIA E. HARPER
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

June 15, 2026

VIA EMAIL
japc@leg.state.fl.us

Kenneth J. Plante, Coordinator
Joint Administrative Procedures Committee
Room 680, Pepper Building
111 West Madison St.
Tallahassee, FL 32399-1400

Re: Docket No. 20260090-WS: Petition for Declaratory Statement

Dear Mr. Plante:

The Florida Public Service Commission received a Petition for Declaratory Statement from Rekisha Codogan on June 10, 2026. A copy of the petition is enclosed. The notice was published in the Florida Administrative Register this date, June 15, 2026.

Sincerely,

A handwritten signature in black ink, appearing to be "JA", with a stylized flourish.

Jennifer Augspurger
Senior Attorney

Enclosures

cc: Office of Commission Clerk

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

PETITION FOR DECLARATORY STATEMENT
PURSUANT TO SECTION 120.565, FLORIDA STATUTES,
AND RULE 28-105.002, FLORIDA ADMINISTRATIVE CODE

IN RE: Petition of Rekisha Codogan, a substantially affected residential water and wastewater customer, seeking a Declaratory Statement concerning the applicability of section 153.83, Florida Statutes, Chapter 153, Florida Statutes, and any applicable utility service rule, ordinance, order, tariff, policy, or written customer-service procedure as applied to Petitioner's residential water/wastewater account at 3116 Oranole Road, Orlando, Florida 32810.

I. PETITIONER

Petitioner:
Rekisha Codogan
c/o 3116 Oranole Road
Orlando, Florida 32810
Telephone: (340) 514-7185
Email: qkisha21@gmail.com

Petitioner appears in propria persona.

II. AGENCY

This Petition is directed to the agency or governmental authority with legal authority to interpret and apply the statutory, ordinance, rule, tariff, order, policy, or written customer-service provisions governing Petitioner's residential water and wastewater service account.

Agency / Utility Authority:
Orange County Utilities / Orange County / Florida Public Service Commission / other proper agency

Orange County Utilities
9150 Curry Ford Road
Orlando, FL 32825
Phone: (407) 836-5515
Toll Free: (800) 626-1140
Email: Utilities.Information@ocfl.net

Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd., Suite 152,
Tallahassee, FL 32399-0850
Phone: 850-413-6770
Email: Clerk@psc.state.fl.us

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Petitioner expressly requests that, if this filing is submitted to an agency that determines it lacks jurisdiction or authority to issue the requested declaratory statement, the agency identify the specific jurisdictional basis for that determination and the proper governmental body or procedure, if known, for obtaining a binding determination concerning Petitioner's rights and obligations.

III. STATUTORY AND LEGAL PROVISIONS UPON WHICH DECLARATORY STATEMENT IS SOUGHT

Petitioner seeks a declaratory statement concerning the applicability of the following provisions, as applied to Petitioner's particular residential account and circumstances:

1. Section 120.565, Florida Statutes;
2. Rule 28-105.001, Florida Administrative Code;
3. Rule 28-105.002, Florida Administrative Code;
4. Section 153.83, Florida Statutes;
5. Chapter 153, Florida Statutes, including applicable definitions;
6. Any applicable Orange County ordinance, resolution, utility service policy, tariff, written customer-service procedure, or order governing billing, notices, disputed charges, late fees, penalties, and disconnection of residential water/wastewater service.

IV. JURISDICTIONAL AND PROCEDURAL BASIS

Section 120.565, Florida Statutes, authorizes a substantially affected person to seek a declaratory statement concerning an agency's opinion as to the applicability of a statutory provision, rule, or agency order as applied to that person's particular set of circumstances.

Rule 28-105.001, Florida Administrative Code, provides that a declaratory statement is a means for resolving a controversy or answering questions or doubts concerning the applicability of statutory provisions, rules, or orders over which the agency has authority.

Rule 28-105.002, Florida Administrative Code, requires that the petition state the petitioner's particular circumstances, identify the statute, rule, or order at issue, describe how the petitioner is substantially affected, and state the declaratory statement requested.

Petitioner submits that this Petition presents a concrete, present, and particularized controversy concerning Petitioner's residential water/wastewater account, not an abstract request for a general advisory opinion and not a request for the agency to determine the rights of unrelated third parties.

V. BINDING FLORIDA AUTHORITY GOVERNING DECLARATORY STATEMENTS

Florida Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering v. Investment Corp. of Palm Beach, 747 So. 2d 374 (Fla. 1999), confirms that declaratory statements serve the important purpose of allowing substantially affected persons to obtain definitive agency guidance on the applicability of agency-enforced law to a particular set of facts.

Citizens of the State of Florida v. Florida Public Service Commission, 164 So. 3d 58 (Fla. 1st DCA 2015), confirms that a declaratory statement may be proper where the petitioner presents a present,

ascertainable set of facts and seeks clarification concerning the applicability of statutes, rules, or agency orders within the agency's authority.

ExxonMobil Oil Corp. v. State, Department of Agriculture and Consumer Services, 50 So. 3d 755 (Fla. 1st DCA 2010), recognizes that a declaratory statement is not improper merely because similarly situated persons may also be affected, so long as the petition seeks application of law to the petitioner's own circumstances.

Chiles v. Department of State, Division of Elections, 711 So. 2d 151 (Fla. 1st DCA 1998), and *Regal Kitchens, Inc. v. Florida Department of Revenue*, 641 So. 2d 158 (Fla. 1st DCA 1994), recognize that a declaratory statement should not be used as a substitute for rulemaking or to announce broad policy detached from the petitioner's own facts.

Manasota-88, Inc. v. Gardinier, Inc., 481 So. 2d 948 (Fla. 1st DCA 1986), recognizes that a declaratory statement is not the proper method for determining the conduct of third parties. Petitioner therefore limits this Petition to the applicability of the identified provisions to Petitioner's own residential account, charges, notice, dispute, and service disconnection circumstances.

VI. STATUTE AT ISSUE

Section 153.83, Florida Statutes, provides:

"The same rates, fees and charges shall be fixed and collected from any county, school district or other political subdivision using the services and facilities of the water system or sewer system, or both, as are fixed and collected from other users of such facilities in the same class. No free water or sewer services shall be rendered by the district and no discrimination shall exist in the fees, rates and charges for users of the same class."

Petitioner does not seek a declaration that section 153.83 creates a right to free water or sewer service. Petitioner acknowledges that the statute prohibits free water or sewer services by the district. Petitioner instead seeks a declaration concerning the statute's uniformity and nondiscrimination language as applied to Petitioner's residential account and to similarly situated residential domestic users.

VII. PETITIONER'S PARTICULAR SET OF CIRCUMSTANCES

Petitioner is a private residential customer receiving water and wastewater service at 3116 Oranole Road, Orlando, Florida 32810. Petitioner uses the service solely for domestic, residential, sanitation, health, and household purposes.

Petitioner is not using the service for commercial resale, industrial operations, institutional enterprise, governmental operations, or utility resale.

On or about October 27, 2025, water and/or wastewater service to Petitioner's residential address was disconnected by an agent acting on behalf of Orange County Utilities for alleged nonpayment.

Petitioner contends that, before that disconnection, Orange County Utilities did not successfully provide the required separate written notice of disconnection and did not fully resolve Petitioner's billing dispute.

By letter dated October 31, 2025, Petitioner notified Orange County Utilities of a billing dispute and sought clarification of the legal authority being relied upon.

Thereafter, Petitioner communicated with Orange County Utilities representatives, including Mr. Dorian M. Williams, by email and telephone in an effort to resolve the matter in good faith. Petitioner contends that the responses provided did not identify with sufficient specificity the controlling Florida statute, Orange County ordinance, utility rule, tariff, order, customer-service policy, or written procedure authorizing the disputed charges, penalties, and disconnection practices.

Petitioner further contends that Orange County Utilities took the position that the matter was "fully addressed and closed," despite Petitioner's continued dispute and request for clarification.

On or about March 31, 2026, at approximately 11:21 a.m., an Orange County Utilities agent again disconnected service to Petitioner's residential address. Petitioner contends that this second disconnection occurred while the controversy remained unresolved and without adequate prior written notice and dispute-resolution procedure required by applicable law, ordinance, tariff, rule, order, policy, or service agreement.

On or about April 2, 2026, Orange County Utilities identified Chapter 153, Florida Statutes, Chapter 37 of the Orange County Code of Ordinances, and section 153.83, Florida Statutes, as legal authority relating to Petitioner's account.

On or about April 30, 2026, Petitioner responded and questioned how section 153.83 applies to Petitioner's residential account, including whether Petitioner is a "user," how a "class" of users is determined, and whether similarly situated residential users must be treated uniformly with respect to rates, fees, charges, penalties, and disconnection consequences.

On or about May 1, 2026, Orange County Utilities responded that all Florida Statutes and Orange County Ordinances apply to Petitioner and Petitioner's account billing, and that failure to pay utility bills would result in disconnection.

Petitioner remains in present doubt concerning the legal basis for the disputed charges, penalties, notice procedures, disconnection practices, and the classification of Petitioner's residential account under section 153.83 and any applicable ordinance, tariff, rule, order, policy, or written utility procedure.

VIII. HOW PETITIONER IS SUBSTANTIALLY AFFECTED

Petitioner is substantially affected because the agency's interpretation and application of the identified provisions directly affects Petitioner's residential water/wastewater account, payment obligations, ability to dispute charges, exposure to penalties or late fees, risk of service disconnection, and access to water and sanitation at Petitioner's dwelling.

Petitioner requires a declaratory statement to determine:

1. Whether Petitioner is a "user" under section 153.83, Florida Statutes;
2. Whether Petitioner's residential domestic account is within a protected class of similarly situated residential users;

3. Whether rates, fees, charges, penalties, and disconnection practices must be applied uniformly to similarly situated residential domestic users;
4. Which statute, ordinance, rule, tariff, order, policy, or written customer-service procedure governs notice before disconnection;
5. Whether Petitioner was entitled to a specific written notice and dispute-resolution process before disconnection of residential service;
6. Whether an unresolved billing dispute affects the timing or legality of disconnection under the applicable governing provisions;
7. Whether the agency's reliance on section 153.83 supports uniform lawful billing and nondiscrimination among similarly situated residential users.

IX. PETITIONER'S POSITION

Petitioner's position is that section 153.83 does not exempt Petitioner from all billing obligations and does not create a right to free water or sewer service.

Petitioner's position is that section 153.83, if relied upon by the agency or utility authority, requires uniform and nondiscriminatory treatment among users of the same class.

Petitioner's position is that a private residential domestic customer is a "user" of water and sewer service and that residential domestic customers may constitute a distinct class for purposes of rates, fees, charges, penalties, and disconnection practices.

Petitioner's position is that the agency or utility authority may not impose discriminatory rates, fees, charges, penalties, or disconnection consequences on Petitioner that are not imposed uniformly on similarly situated residential domestic users, absent a lawful classification distinction.

Petitioner's position is that before disconnecting residential water/wastewater service for disputed nonpayment, the utility authority must comply with all applicable statutory, ordinance, rule, tariff, policy, order, written notice, and dispute-resolution requirements.

Petitioner's position is that the agency or utility authority should identify the specific legal authority governing residential billing, late fees, penalties, disputed charges, notice, and disconnection procedures applicable to Petitioner's account.

X. DECLARATORY STATEMENT REQUESTED

Petitioner respectfully requests a Declaratory Statement limited to Petitioner's particular residential account and circumstances at 3116 Oranole Road, Orlando, Florida 32810, addressing the following:

1. Whether Petitioner, as a private residential domestic water/wastewater customer, is a "user" within the meaning of section 153.83, Florida Statutes.
2. Whether Petitioner's residential domestic water/wastewater account is within the same class as other similarly situated residential domestic users for purposes of rates, fees, charges, penalties, deposits, and disconnection practices.

3. Whether section 153.83, Florida Statutes, prohibits discriminatory rates, fees, charges, penalties, or disconnection consequences among similarly situated residential domestic users of the same class.
4. Whether section 153.83, Florida Statutes, permits differing financial burdens among similarly situated residential domestic users absent a lawful classification distinction.
5. Whether the agency or utility authority's reliance on section 153.83 supports uniform lawful billing and nondiscrimination among residential users, rather than exclusion of private residential users from billing obligations.
6. What specific statute, ordinance, rule, tariff, order, policy, written procedure, or service agreement governs written notice before disconnection of Petitioner's residential water/wastewater service.
7. Whether, under the applicable governing provisions, Petitioner was entitled to written notice separate from any bill before disconnection of residential water/wastewater service.
8. Whether, under the applicable governing provisions, Petitioner was entitled to a meaningful opportunity to dispute the charges, obtain a written explanation of the legal authority relied upon, or otherwise resolve the billing dispute before disconnection.
9. Whether the disconnections alleged to have occurred on or about October 27, 2025, and March 31, 2026, were authorized under the applicable statute, ordinance, rule, tariff, order, policy, written procedure, or service agreement governing Petitioner's residential account.
10. If the agency determines that it lacks authority to answer any portion of this Petition, Petitioner requests that the agency state with particularity which questions it lacks authority to answer and why.

XI. STATEMENT THAT PETITION IS LIMITED TO PETITIONER'S PARTICULAR FACTS

This Petition is not submitted to obtain a general advisory opinion.

This Petition is not submitted to require agency rulemaking.

This Petition is not submitted to determine the rights or conduct of unrelated third parties.

This Petition is limited to the applicability of the identified statutes, rules, ordinances, orders, tariffs, policies, written procedures, or service provisions to Petitioner's own residential water/wastewater account, billing dispute, classification, notice, and disconnection circumstances.

Although similarly situated residential customers may be affected by the agency's interpretation, Petitioner seeks a declaration only as to Petitioner's own particular circumstances.

XII. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the agency:

1. Accept this Petition as a petition for declaratory statement under section 120.565, Florida Statutes, and Chapter 28-105, Florida Administrative Code, if the agency has Chapter 120 authority;

2. Issue a declaratory statement applying the identified legal provisions to Petitioner's particular circumstances;
3. Identify the specific statute, ordinance, rule, tariff, order, policy, written procedure, or service agreement governing Petitioner's residential billing, notice, dispute, and disconnection issues;
4. Declare whether Petitioner is a residential domestic "user" within the meaning of section 153.83, Florida Statutes;
5. Declare whether Petitioner must be treated uniformly with similarly situated residential domestic users with respect to rates, fees, charges, penalties, and disconnection practices;
6. Declare whether the alleged disconnections were authorized under the applicable governing provisions;
7. If the agency determines that it lacks jurisdiction or authority, issue a written disposition identifying the jurisdictional basis for denial and, if known, the appropriate forum or procedure for Petitioner to obtain a binding determination.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rekisha", followed by a horizontal line extending to the right.

Rekisha Codogan
Petitioner, In Propria Persona

Date: June 5, 2026

Telephone: (340) 514-7185

Email: qkisha21@gmail.com

Address: c/o 3116 Oranole Road, Orlando, Florida 32810

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was sent by mail this 5th day
of June, 2026 to:

Adam Teitzman

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Blvd., Suite 152,

Tallahassee, FL 32399-0850

Phone: 850-413-6770

Email: Clerk@psc.state.fl.us

Orange County Utilities

9150 Curry Ford Road

Orlando, FL 32825

Phone: (407) 836-5515

Toll Free: (800) 626-1140

Email: Utilities.Information@ocfl.net

Rekisha Codogan

Petitioner, In Propria Persona



Certified letter number: 9589 0710 5270 3850 9234 34

Date: June 5, 2026

Telephone: (340) 514-7185

Email: qkisha21@gmail.com

Address: c/o 3116 Oranole Road, Orlando, Florida 32810