

Case Scheduling/Rescheduling Advice

Last Revised 06/28/2000 at 16:36

Page 1 of 1

Printed on 06/28/2000 at 17:25

To: Commissioner Clark Deputy Executive Director/Tech Safety & Electric Reliability Director
 Commissioner Jacobs Appeals Director Records & Reporting Director
 Commissioner Jaber Legal Director PAI Director
 New Commissioner Economic Regulation Director Regulatory Oversight Director
 Executive Director Competitive Services Director Court Reporter
 Public Information Officer Consumer Affairs Director Staff Contact - Samantha Cibula

From: Office of Chairman Terry Deason

Docket Number: 990696-WS

Docket Title: Application for original certificates to operate water and wastewater utility in Duval and St. Johns Counties by Nocatee Utility Corporation.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing	08/09/2000	08/15/2000	St. Johns County	10:00 AM - 12:00 PM
Hearing	08/09/2000	08/15/2000	St. Johns County	12:00 PM - 5:00 PM
Service Hearing	08/09/2000	08/15/2000	St. Johns County	7:00 PM - 8:00 PM
Hearing	08/10/2000	08/16/2000	St. Johns County	10:00 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		
X		X					

Prehearing Officer

Commissioners					
DS	CL	JC	JB	NC	ADM

Commissioners					
DS	CL	JC	JB	NC	ADM
X					

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: (Related dockets: 992040). CONSOLIDATION OF DOCKETS 992040 WITH 990696. Hearing location changed from Duval to St. John County.

Case Scheduling/Rescheduling Advice

Last Revised 06/30/2000 at 14:49

Page 1 of 1

Printed on 07/05/2000 at 08:56

To: Commissioner Clark Deputy Executive Director/Tech Safety & Electric Reliability Director
 Commissioner Jacobs Appeals Director Records & Reporting Director
 Commissioner Jaber Legal Director PAI Director
 New Commissioner Economic Regulation Director Regulatory Oversight Director
 Executive Director Competitive Services Director Court Reporter
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2. Hearing/Prehearing Assignment Information

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Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		
X		X					

Prehearing Officer

Commissioners						
DS	CL	JC	JB	NC	ADM	

Commissioners						
DS	CL	JC	JB	NC	ADM	
X						

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: (Related dockets: 992040). CONSOLIDATION OF DOCKETS 992040 WITH 990696. Hearing location changed from Duval to St. John County. Hearing dates changed.

Case Scheduling/Rescheduling Advice

Last Revised 07/12/2000 at 11:13

Page 1 of 1

Printed on 07/12/2000 at 17:09

To: Commissioner Clark Deputy Executive Director/Tech Safety & Electric Reliability Director
 Commissioner Jacobs Appeals Director Records & Reporting Director
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2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		
		1			1		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		
	X		X	X			

Prehearing Officer

Commissioners						
DS	CL	JC	JB	NC	ADM	

Commissioners						
DS	CL	JC	JB	NC	ADM	
X						

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: (Related dockets: 992040). CONSOLIDATION OF DOCKETS 992040 WITH 990696. ASSIGNED TO A PANEL PH-7/10/00; H-8/16-17/00.

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

September 1, 1999

RECEIVED-HPSC
09 SEP -2 PM 3:48
RECORDS AND REPORTING

Larry M. Haag, Esq.
County Attorney
111 West Main Street, 3rd Floor
Inverness, Florida 34450

Re: Docket No. 990996-WS - Resolution by Citrus County Commission to rescind Citrus County Resolution No. 73-97 and remove jurisdiction of Florida Public Service Commission over private water and wastewater utilities in Citrus County.

Dear Mr. Haag:

Enclosed is a copy of the Staff Recommendation filed in this matter on August 26, 1999. The Commission is expected to consider this Recommendation at its September 7, 1999, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6222.

Sincerely,

Alice Crosby
Paralegal

ALC/lw
Enclosure

cc: Division of Water and Wastewater (Rehwinkel)
Division of Records and Reporting

i:\990996l.alc

DOCUMENT NO.



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: AUGUST 26, 1999

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

FROM: DIVISION OF WATER AND WASTEWATER (REHWINKEL) *re gw*
DIVISION OF LEGAL SERVICES (CROSBY) *jes* *fl sm*

RE: DOCKET NO. 990996-WS - RESOLUTION BY CITRUS COUNTY COMMISSION TO RESCIND CITRUS COUNTY RESOLUTION NO. 73-97 AND REMOVE THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER PRIVATE WATER AND WASTEWATER UTILITIES IN CITRUS COUNTY
COUNTY: CITRUS

AGENDA: 09/07/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\WAW\WP\990996WS.RCM

CASE BACKGROUND

On December 18, 1973, the Citrus County Board of County Commissioners adopted a resolution declaring Citrus County subject to the provisions of Chapter 367, Florida Statutes. This resolution invoked Public Service Commission jurisdiction over all investor-owned water and wastewater systems. On July 27, 1999, the Citrus County Board of County Commissioners met and adopted Resolution No. 99-111 rescinding Florida Public Service Commission jurisdiction in Citrus County effective immediately.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge the resolution adopted by Citrus County's Board of County Commissioners to rescind Commission jurisdiction?

RECOMMENDATION: Yes. The Commission should acknowledge the resolution that rescinds the Commission's jurisdiction in Citrus County. (REHWINKEL, CROSBY)

STAFF ANALYSIS: As stated in the case background, on December 18, 1973, the Board of County Commissioners in Citrus County adopted a resolution declaring Citrus County subject to the provisions of Chapter 367, Florida Statutes. This resolution invoked Public Service Commission jurisdiction over all investor-owned water and wastewater utilities in Citrus County. On July 27, 1999, the Board of County Commissioners of Citrus County, in accordance with Section 367.171(1), Florida Statutes, adopted Resolution No. 99-111 thereby rescinding Public Service Commission jurisdiction in Citrus County effective immediately.

Section 367.171(1), Florida Statutes, provides that a county, after 10 continuous years under jurisdiction of the Commission, may by resolution or ordinance rescind said jurisdiction and thereby exclude itself from the provisions of Chapter 367, Florida Statutes. Citrus County has met that requirement. Therefore, staff recommends that the Commission acknowledge Citrus County's Resolution No. 99-111, which rescinds Commission jurisdiction in Citrus County as of July 27, 1999.

ISSUE 2: Should the Commission cancel the certificates of the regulated utilities in Citrus County?

RECOMMENDATION: As listed in the staff analysis, certificates previously issued to water and wastewater utilities in Citrus County that do not have cases pending before the Commission should be returned to this Commission within 30 days of the Commission's order for cancellation. Certificates listed in the staff analysis held by utilities in Citrus County that have pending cases before the Commission should be returned for cancellation at the conclusion of their respective cases. (REHWINKEL, CROSBY)

STAFF ANALYSIS: Section 367.171(5), Florida Statutes, states that:

When a utility becomes subject to regulation by a county, all cases in which the utility is a party then pending before the Commission, or in any court by appeal from any order of the Commission, shall remain within the jurisdiction of the Commission or court until disposed of in accordance with the law in effect on the day such case was filed by any party with the Commission or initiated by the Commission, whether or not the parties or the subject of any case relates to a utility in a county wherein this chapter no longer applies.

The following utilities had valid Public Service Commission certificates to provide water and wastewater service in Citrus County:

<u>UTILITY</u>	<u>CERTIFICATE NUMBER(S)</u>	
Cinnamon Ridge Utilities, Inc.	360-W	
Crystal River Utilities, Inc.	396-W	
Eldorado Water System	575-W	
Florida Water Services Corp.	189-W	134-S
Forest Hills Water System	568-W	
Heights Water Company	228-W	
Indian Springs Utilities, Inc.		136-S
Meadow Wood	545-W	
Meadows Utility Company, Inc.	361-W	316-S
Rolling Oaks Utilities, Inc.	215-W	148-S
WELLAQUA Co.	513-W	
Windstream Utilities Company	532-W	

The following utilities have cases pending before the Commission (this includes cases on appeal):

<u>UTILITY</u>	<u>DOCKET NUMBER(S)</u>
Southern States Utilities, Inc.	920199-WS
Southern States Utilities, Inc.	950495-WS
Florida Water Services Corp.	990743-WU
WELLAQUA, Co.	990872-WU

Staff recommends that: (a) Certificate No. 360-W, held by Cinnamon Ridge; (b) Certificate No. 396-W, held by Crystal River Utilities, Inc.; (c) Certificate No. 575-W, held by Eldorado Water System; (d) Certificate No. 568-W, held by Forest Hills Water System; (e) Certificate No. 228-W, held by Heights Water Company; (f) Certificate No. 136-S, held by Indian Springs Utilities, Inc.; (g) Certificate No. 545-W, held by Meadow Wood; (h) Certificates Nos. 361-W and 316-S, held by Meadows Utility Company, Inc.; (i) Certificates Nos. 215-W and 148-S, held by Rolling Oaks Utilities, Inc.; and (j) Certificate No. 532-W, held by Windstream Utilities Company, be canceled and returned to the Commission within 30 days of the Commission's order.

Staff also recommends that Certificates Nos. 189-W and 134-S, held by Florida Water Services Corp., and Certificate No. 513-W, held by WELLAQUA Co., be canceled and returned to the Commission within 30 days of the conclusion of the above-referenced cases currently pending before this Commission (includes those on appeal).

The cancellation of the certificates pursuant to the order should not affect the authority of the Commission to collect, or the obligation of the utilities to pay, regulatory assessment fees accrued prior to the July 27, 1999, transfer of jurisdiction to Citrus County.

DOCKET NO. 990996-WS
DATE: AUGUST 26, 1999

ISSUE 3: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open until all dockets currently pending before the Commission have been closed.
(CROSBY)

STAFF ANALYSIS: Staff is recommending that this docket remain open until all dockets currently pending before the Commission have been closed.

M E M O R A N D U M

September ²⁴ 21, 1999

RECEIVED-FPSC

99 SEP 24 AM 11:56

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CROSBY) *CS*

RE: DOCKET NO. 990996-WS - RESOLUTION BY CITRUS COUNTY
COMMISSION TO RESCIND CITRUS COUNTY RESOLUTION NO. 73-97
AND REMOVE JURISDICTION OF FLORIDA PUBLIC SERVICE
COMMISSION OVER PRIVATE WATER AND WASTEWATER UTILITIES IN
CITRUS COUNTY.

1899-FDF

Attached is an ORDER ACKNOWLEDGING RESOLUTION ADOPTED BY
CITRUS COUNTY RESCINDING COMMISSION JURISDICTION, AND ESTABLISHING
PROCEDURE FOR CANCELLATION OF CERTIFICATES IN CITRUS COUNTY, to be
issued in the above-referenced docket.

(Number of pages in order - 5)

See 4

ALC/dr

Attachment

cc: Division of Water and Wastewater (Rehwinkel, Redemann)

I:\990996A.ALC

H-REAR

Requisition for Photocopying and Mailing

Date 9 / 29 / 99
 Number of Originals 4 Copies Per Original 19
 Requested By Smith

Item Presented

Agenda For (Date) _____ Order No. 99-1299 In Docket No. 990996
 Notice of _____ For (Date) _____ In Docket No. _____
 Other _____

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>	<u>--</u>	<u>Clark</u>
<u>(1)</u>	<u>Docket Mailing List - Mailed</u> <u>RAR.</u>		
	<u>Docket Mailing List - Faxed</u>		

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 337 Verified By Michael
 Date and Time Completed 9/30 Job Checked For Correctness and Quality (Initial) "

Mail Room Verification

Date Mailed 9/30 Verified By [Signature]