



Charlotte County Government

"To exceed expectations in the delivery of public services."

www.CharlotteCountyFL.com

February 13, 2013

Via UPS overnight delivery

Ann Cole, Commission Clerk
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

130049-WS

RECEIVED-FPSC
13 FEB 14 AM 9:45
COMMISSION
CLERK

Re: Charlotte County Board of County Commissioners Resolution # 2013-003
Transferring Regulation to FPSC

Dear Ms. Cole:

Enclosed is a certified copy of Charlotte County Board of County Commissioners Resolution Number 2013-003 adopted on February 12, 2013, transferring regulation of the privately-owned for-profit water and wastewater utilities to the Florida Public Service Commission. Please let me know if there is any further information we can provide.

Sincerely,

Martha Young Burton
Assistant County Attorney

MB/ldl

Enclosure

cc: Gordon Burger, Director of Budget and Administrative Services
Roger Davis, Senior Financial Consultant
Janette S. Knowlton, County Attorney

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LR 2013-049

COUNTY ATTORNEY'S OFFICE

18500 Murdock Circle, Suite 573 | Port Charlotte, FL 33948-1068
Phone: 941.743.1330 | Fax: 941.743.1550

DOCUMENT NUMBER - DAT

00849 FEB 14 2013

FPSC-COMMISSION CLERK

RESOLUTION
NUMBER 2013-003



A RESOLUTION RELATING TO COUNTY REGULATION OF PRIVATE WATER AND WASTEWATER SYSTEM UTILITIES; DECLARING CHARLOTTE COUNTY SUBJECT TO THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES, THUS TRANSFERRING SUCH REGULATION TO THE FLORIDA PUBLIC SERVICE COMMISSION; PROVIDING FOR MAILING A CERTIFIED COPY HEREOF; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Charlotte County Board of County Commissioners (Board) presently regulates certain private water and wastewater system utilities pursuant to its authority as a charter county and Chapter 367, Florida Statutes, the "Water and Wastewater System Regulatory Law," which specifically excludes Charlotte County from Public Service Commission (PSC) jurisdiction; and

WHEREAS, the Board has determined that it is in the best interest of the citizens and residents of Charlotte County that private for-profit water and wastewater systems within Charlotte County be regulated by the PSC, which has adequate staff to analyze utility system rates; and

WHEREAS, the Board now desires to transfer the regulation of private utilities to the PSC, pursuant to Section 367.171(1), Florida Statutes, and thereby make the provisions of Chapter 367 effective in Charlotte County, Florida.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

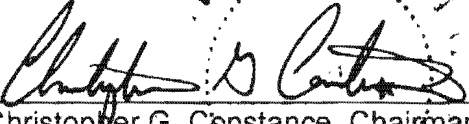
1. Charlotte County, Florida, is hereby subject to the provisions of Chapter 367, Florida Statutes, the "Water and Wastewater Regulatory Law," effective immediately, and all non-exempted water and sewer systems in the County that meet the definition of "utility" as defined by Section 367.021, Florida Statutes, are hereby subject to the jurisdiction and regulatory authority of the State of Florida Public Service Commission.

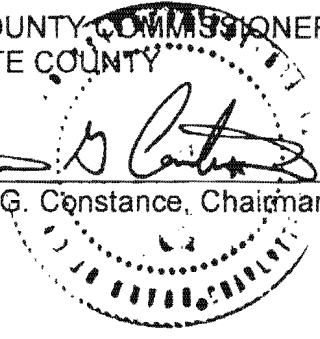
2. The Clerk to the Board is hereby directed and authorized to notify the Florida Public Service Commission of the adoption of this resolution by mailing a certified copy of this resolution to the Florida Public Service Commission forthwith.

3. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED 12th day of February 2013 by the Board of County Commissioners of CHARLOTTE COUNTY.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY

By 
Christopher G. Constance, Chairman



ATTEST:
Barbara T. Scott, Clerk of Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


Janette S. Knowlton, County Attorney
MB