

# REQUEST TO ESTABLISH DOCKET

(Please type or print. File original *plus* 1 copy with CLK.)

Date:	2/18/2013	Docket No.:	130049 - WS
1. From Division / Staff:	Division Of Engineering		
2. OPR:	Stanley Rieger (Division of Engineering) <i>SDR PV</i>		
3. OCR:	Jennifer Crawford (Office of General Counsel)		
4. Suggested Docket Title:	Resolution of the Board of County Commissioners of Charlotte County declaring Charlotte County subject to the provisions of 367, F.S.		
5. Program/Module/Submodule Assignment:	B5a		
6. Suggested Docket Mail List.			
a. Provide NAMES/ACRONYMS, if registered company.		<input type="checkbox"/> Provided as an Attachment	
Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):	
b. Provide COMPLETE NAME AND ADDRESS for all others. (match representatives to companies)			
Company Code, if applicable:	Interested persons, if any, (include address, if different from MCD):	Representatives (name and address):	
	Ms. Martha Young Burton Assistant County Attorney	Charlotte County Attorney's Office 18500 Murdock Circle,	
		Suite 573 Port Charlotte, FL 33948-1068	
7. Check one:	<input checked="" type="checkbox"/> Supporting Documentation Attached		<input type="checkbox"/> To be provided with Recommendation
Comments: Resolution Attached			

RECEIVED - FPSC  
 13 FEB 18 AM 11:20  
 COMMISSION CLERK

DOCUMENT NUMBER-DATE  
 00877 FEB 18 2013

FPSC-COMMISSION CLERK



February 13, 2013

Via UPS overnight delivery

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

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

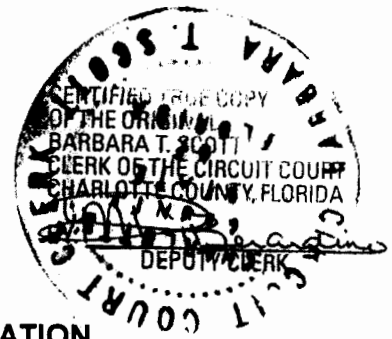
Enclosure

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

P:\WPDATA\BURTON\Regulated Utilities\PUBLIC SERVICE COMMISSION\PSC letter transferring jurisdiction back.docx  
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



**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.

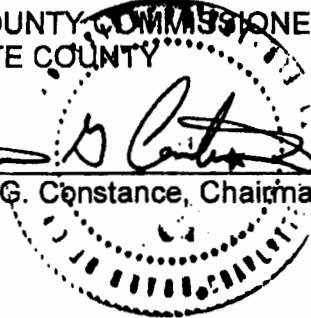
2. The Clerk to the Board is hereby directed and authorized to notify the Florida Public Service Commission of the adoption of this resolution by mailing a certified copy of this resolution to the Florida Public Service Commission forthwith.

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

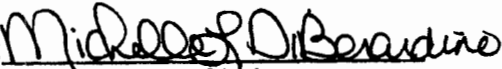
PASSED AND DULY ADOPTED 12<sup>th</sup> day of February 2013 by the Board of County Commissioners of CHARLOTTE COUNTY.

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