BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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| In re: Resolution of the Board of County Commissioners of Citrus County declaring Citrus County subject of the provisions of Sections 367, F.S. | DOCKET NO. 20240095-WS  ORDER NO. PSC-2024-0267-FOF-WS  ISSUED: July 25, 2024 |

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman

ART GRAHAM

GARY F. CLARK

ANDREW GILES FAY

GABRIELLA PASSIDOMO

ORDER ACKNOWLEDGING RESOLUTION DECLARING CITRUS COUNTY

SUBJECT TO THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES

BY THE COMMISSION:

Background

On May 28, 2024, the Board of County Commissioners of Citrus County (County) adopted Resolution No. 2024-040 (Resolution, Attachment A), transferring regulation of the privately-owned, for profit water and wastewater utilities in the County to the Florida Public Service Commission. Effective upon the adoption of the resolution, all non-exempt water and wastewater systems in the County became subject to the provisions of Chapter 367, Florida Statutes (F.S.). Therefore, the effective date of the transfer of jurisdiction is May 28, 2024. This order acknowledges that Resolution. We have jurisdiction pursuant to Section 367.171, F.S.

Decision

On May 28, 2024, the Board of County Commissioners of Citrus County passed and adopted Resolution No. 2024-040, which transfers jurisdiction over the County's privately-owned water and wastewater utilities to us. In addition, our staff has contacted the County requesting information on each utility’s current rates, charges, and territory served. As part of its response, the County provided a list of its 13 privately-owned water and wastewater utilities, which is appended to this order as Attachment B. Since they are now subject to Chapter 367, F.S., each utility must continue to collect the rates and charges for water and wastewater service which were being collected on May 28, 2024, until changed by us.

Our staff has contacted the Florida Department of Environment Protection (DEP) to advise it of the Resolution and to obtain a list of all privately-owned water and wastewater facilities in Citrus County which DEP monitors for environmental compliance. The utilities identified by the County and DEP will receive a letter from our staff advising them of the transfer of jurisdiction and providing them with information to determine whether or not they are exempt from our regulation, pursuant to Section 367.022, F.S.

Entities which are not exempt from our regulation will receive instruction for filing an application for grandfather certificates. The resulting applications will be processed in individual dockets. These applicants will also be advised of their responsibility to file an annual report for 2024, pursuant to Rule 25-30.110, Florida Administrative Code, as well as their responsibility to remit Annual Regulatory Assessment Fees (RAFs). The applicants will also be advised of their right to file for a pass-through of RAFs should they not be currently collecting RAFs, or if they are collecting a lesser amount than they would be paying to the Commission.

We acknowledge Resolution No. 2024-040 by the Board of County Commissioners of Citrus County, effective May 28, 2024. All non-exempt, privately-owned water and wastewater utilities in Citrus County shall be directed to comply with the provisions of Chapter 367, F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we acknowledge Resolution No. 2024-040 by the Board of County Commissioners of Citrus County, effective May 28, 2024. All non-exempt, privately-owned water and wastewater utilities in Citrus County shall be directed to comply with the provisions of Chapter 367, F.S. It is further

ORDERED that this docket shall remain open to process letters to water and wastewater operators and their subsequent responses. Upon our staff's verification that the final response from a water or wastewater system operator affirming exemption status has been received, and that no further action is necessary, this docket shall be closed administratively.

By ORDER of the Florida Public Service Commission this 25th day of July, 2024.

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|  | /s/ Adam J. Teitzman |
|  | ADAM J. TEITZMAN  Commission Clerk |

Florida Public Service Commission

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.







