

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of the Board of) DOCKET NO. 911196-WS
County Commissioners of Escambia)
County declaring Escambia County) ORDER NO. 25593
subject to the provisions of)
Chapter 367, Florida Statutes) ISSUED: 1/13/92
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY

ORDER ACKNOWLEDGING JURISDICTIONAL RESOLUTION
OF THE BOARD OF COUNTY COMMISSIONERS
DECLARING ESCAMBIA COUNTY SUBJECT TO THE
PROVISIONS OF CHAPTER 367, FLORIDA STATUTES

BY THE COMMISSION:

On December 3, 1991, the Board of County Commissioners of Escambia County adopted a resolution pursuant to Section 367.171, Florida Statutes, declaring the water and wastewater utilities in that County subject to the provisions of the Water and Wastewater Regulatory Law, Chapter 367, Florida Statutes. The Escambia County resolution was received by the Florida Public Service Commission (Commission) on December 12, 1991. The effect of the resolution is to invoke the Commission's jurisdiction over water and wastewater systems in Escambia County.

We, therefore, find that the provisions of Chapter 367, Florida Statutes, are now applicable in Escambia County. All utilities as defined by Chapter 367, Florida Statutes, shall comply with the following provisions of this order.

Each utility shall register with this Commission within thirty (30) days, as required by Section 367.171(2)(a), Florida Statutes. All utilities must either obtain a grandfather certificate or an exemption from regulation pursuant to Section 367.031, Florida Statutes.

Each utility desiring to obtain a grandfather certificate for the area served by such utility as of December 3, 1991, shall make application to this Commission, pursuant to Section 367.171(2)(b), Florida Statutes, within 90 days.

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Each utility shall continue to collect the rates and charges for water and wastewater service which were being collected on December 3, 1991. Such rates and charges shall remain in effect until changed by this Commission.

Members of the Commission staff will meet with the regulated utilities and the utilities which may make application for exemption from regulation in Escambia County at the following time and place:

January 28 & 29, 1992
9:30 am to 5:00 pm
Chappie James Building, Room 502
Corner of Government Street and Reus St.
Pensacola, Florida 32501-5756

On January 28, 1992, the Commission staff will conduct a group meeting with all regulated utilities in Escambia County. The purpose of this meeting will be to distribute relevant materials and to discuss and clarify Commission regulatory practices and procedures. The group meeting should conclude by the early afternoon, at which time the Commission staff shall set appointments to meet with the utilities on an individual basis. The scheduled meetings with the individual utilities shall take place on the afternoon of January 28, 1992, and resume on January 29, 1992.

Now, in consideration of the foregoing, it is

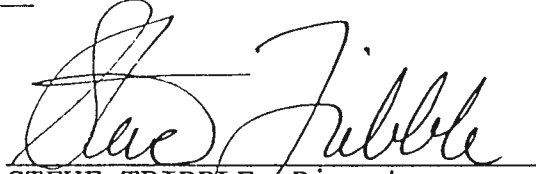
ORDERED by the Florida Public Service Commission that the resolution of the Board of County Commissioners of Escambia County, declaring that County to be subject to the provisions of Chapter 367, Florida Statutes, be and the same is hereby acknowledged. It is further

ORDERED that all water and wastewater utilities in Escambia County are hereby directed to comply with Commission procedures as set forth in the body of this Order and Chapter 367, Florida Statutes. It is further

ORDERED that this docket remain open until all utilities have complied with the provisions as set forth in this Order.

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By ORDER of the Florida Public Service Commission, this 13th
day of JANUARY, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 Director, Division of Records and Reporting 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 or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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.