

DOCKET NO. 941044-WS

REQUEST TO ESTABLISH DOCKET

Date 10/3/94

- 1. Division Name/Staff Name Water & Wastewater / Travis Coker
- 2. OPR W&W / Travis Coker
- 3. OCR Scott Edmunds / Legal
- 4. Suggested Docket Title Resolution of the Board of Commissioners of Charlotte County declaring Charlotte County subject to the provisions of Chapter 307, F.S.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

A. Parties (Provide names of regulated companies or use abbreviation from list below if Parties should include all regulated companies in one or more industries; provide names and addresses of nonregulated companies; provide names, addresses, and affiliation (i.e., attorney, company liaison officer, or customer) of individuals.)

_____	_____
_____	_____
_____	_____
_____	_____

B. Interested Persons/Companies (Provide names, complete mailing addresses, and affiliation. Use abbreviation from list below if interested persons should include all regulated companies in one or more industries.)

_____	_____
_____	_____
_____	_____
_____	_____

REGULATED INDUSTRIES

Investor-Owned Electrics (EI)	Water Utilities (WU)
Electric Cooperatives (EC)	Local Exchange Telephone Cos. (TL)
Municipal Electrics (EM)	Interexchange Telephone Cos. (TI)
Gas Utilities (GU)	Coin-Operated Telephone Cos. (TC)
Wastewater Utilities (SU)	Shared Tenant Telephone Cos. (TS)
	Alternate Access Vendors (TA)

6. Check One:

- Documentation attached.
- Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE  
**10085 OCT-3 94**  
FPSC-RECORDS/REPORTING

BARBARA T. SCOTT  
CLERK OF THE CIRCUIT COURT



CIRCUIT COURT • COUNTY COURT • COUNTY RECORDER • CLERK BOARD OF COUNTY COMMISSIONERS

September 29, 1994

Public Service Commission  
Fletcher Building  
101 East Gaines Street  
Tallahassee, Florida 32399

**Re: Resolution #94-195  
Transfer of Water and Wastewater System Utilities  
to the Public Service Commission**

Dear Sir or Madame:

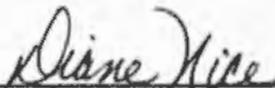
Please be advised that the Board of County Commissioners for Charlotte County adopted Resolution #94-195 on September 27, 1994. Pursuant to paragraph 2 of the Resolution, enclosed please find a certified copy.

Should you have any questions, please feel free to contact me.

Sincerely yours,

BARBARA T. SCOTT  
CLERK OF THE CIRCUIT COURT

By:



Diane J. Nice  
Deputy Clerk  
Commission Minutes

Enclosure

cc w/enclosure: Renee Francis Lee, County Attorney  
Rod Merritt, Utilities Regulatory Manager

BTS/djn

CERTIFIED MAIL NO. P 289 789 416

TRUE COPY  
JAL  
-OTE  
CIRCUIT COURT  
CHARLOTTE COUNTY, FLORIDA  
BY: *[Signature]*  
DEPUTY CLERK

RESOLUTION  
NUMBER 94-195

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 PUBLIC SERVICE COMMISSION; PROVIDING FOR MAILING A CERTIFIED COPY HEREOF; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

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

WHEREAS, the Charlotte County Board of County Commissioners 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.

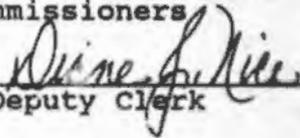
2. The Clerk to the Board is hereby directed and authorized to notify the Public Service Commission of the adoption of this resolution by mailing a certified copy of this resolution to the Public Service Commission forthwith.

PASSED AND DULY ADOPTED this 27th day of September, 1994.

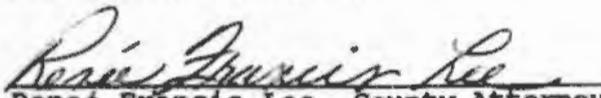
BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By   
Richard J. Leonard, 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:

  
Renee Francis Lee, County Attorney m B