

FLORIDA PUBLIC SERVICE COMMISSION
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M E M O R A N D U M

JUNE 13, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF WATER & WASTEWATER (COKER) *etc Com JAW*
DIVISION OF LEGAL SERVICES (AGARWAL) *RA JH*

RE: DOCKET NO. 960674-WS - RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF POLK COUNTY DECLARING POLK COUNTY
SUBJECT TO THE PROVISIONS OF CHAPTER 367, P.S. -
COUNTY: POLK

AGENDA: JUNE 25, 1996 - REGULAR AGENDA - PARTIES MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

LOCATION OF FILE: I:\PSC\WAW\WP\960674WS.RCM

DOCUMENT NUMBER-DATE

06382 JUN 13 8

FPSC-RECORDS/REPORTING

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CASE BACKGROUND

On May 14, 1996, the Polk County Board of County Commissioners adopted a resolution declaring the water and wastewater utilities in that county subject to the provisions of Chapter 367, Florida Statutes. The Florida Public Service Commission received Polk County's resolution on May 24, 1996. The effect of the resolution is to invoke Public Service Commission jurisdiction over water and wastewater systems in Polk County.

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DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge Polk County's resolution transferring regulatory jurisdiction over water and wastewater utilities to the Commission?

RECOMMENDATION: Yes, the Commission should acknowledge Polk County's resolution and direct all privately-owned water and wastewater utilities in Polk County to comply with the provisions of Chapter 367, Florida Statutes. (COKER)

STAFF ANALYSIS: The Commission should issue an order acknowledging the transfer of jurisdiction and advising utilities in Polk County of the necessity of complying with Section 367.171, Florida Statutes and Public Service Commission procedures. Section 367.171 Florida Statutes, outlines the effectiveness of Chapter 367, Florida Statutes, once a county has adopted a resolution declaring that such county is subject to the jurisdiction of the Commission. Staff will be obtaining a listing of all water and wastewater utilities in Polk County from the Department of Environmental Protection. In addition, staff will schedule a meeting with the utilities in Polk County to distribute relevant materials and explain Commission regulatory practice and procedures.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. (AGARWAL, COKER)

STAFF ANALYSIS: All jurisdictional utilities in Polk County will be required to apply for a grandfather certificate. Grandfather certificate applications will be processed under their own individual dockets. Further, as of July 1, 1996, the Commission will no longer issue orders to indicate a utility's exempt status. Therefore, this docket should be closed.