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January 29, 1999

BY HAND DELIVERY

Ms. Blanca Bayo
Director, Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 982002-WS - *Petition of St. Johns Service Company for Declaratory Statement*

Dear Ms. Bayo:

On December 29, 1998 St. Johns Service Company filed a Petition for Declaratory Statement with the Florida Public Service Commission ("FPSC") requesting a determination that the company will not become subject to the jurisdiction of the FPSC because of their operations as described in the Petition. St. Johns Service Company is located in St. Johns County and is currently subject to the jurisdiction of the St. Johns County Board of County Commissioners. In view of this, the Board of County Commissioners would request the FPSC consider the contents of this correspondence when rendering its decision on this Petition.

This Petition is before the FPSC in part because the St. Johns Water and Sewer Authority expressed concern with respect to continued jurisdiction over St. Johns Service Company. The utility is providing bulk water and wastewater service to a homeowners association located outside of St. Johns County from plant located within the County. Although the utility believes that the County will continue to have jurisdiction, the Petition was filed to resolve the issue.

In the Petition, St. Johns Service Company represents that the utility will provide bulk water and wastewater services to owners and operators of "certain internal distribution and collection facilities in Duval County" at a point of delivery located within St. Johns County (petition, page 2). St. Johns Service Company asserts they will not be actually operating within Duval County (petition, pg. 5), thus pursuant to the decision in Town of Jupiter v. Village of Tequesta, 713 So.2d 429 (4th DCA, 1998) they are not subject to the jurisdiction of the FPSC.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

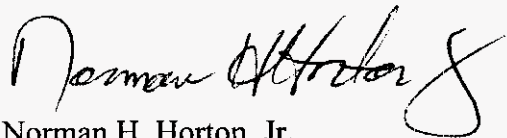
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At a public hearing before the St. Johns Water and Sewer Authority on January 6, 1999, a representative of St. Johns Service Company acknowledged that the company would be handling connections and disconnections for Duval County residents, reading customer meters and possibly performing other services under its bulk service agreement for the homeowner's associations. Such activities may bear upon the decision reached by the Commission.

St. Johns County is neither supporting or objecting to the request made by St. Johns Service Company and the intent of this submission is simply to request that the FPSC consider all relevant facts in reaching its decision including reviewing any bulk water agreements. The County believes that it is especially important to carefully analyze this petition because of the location of the customers. The County is fully able to continue its jurisdiction over St. Johns Service Company but is also aware that continued jurisdiction by the County may mean that the rates for utility service of Duval County residents will be affected by decisions made by the Board of County Commissioners of St. Johns County.

For the foregoing reasons, it is requested that the Florida Public Service Commission fully review all relevant information including the terms of any bulk service agreement when considering this petition.

Sincerely,



Norman H. Horton, Jr.

NHH/amb

cc: Mary Anne Helton, Esq.
F. Marshall Deterding, Esq.
David Conn, Esq.
Mr. George Flint