

**ORIGINAL**

**Rhonda Hicks**

060168-PU

**To:** Kay Flynn

**Subject:** Petition for Rulemaking

The attached letter from Mr. Wallace and Mr. Slavin in regards to a second petition for rulemaking was received by fax and is forwarded to you for further handling.

<p><b>Rhonda L. Hicks</b>  <i>Chief, Bureau of Complaint Resolution</i></p> <p>RHicks@PSC.STATE.FL.US</p>	<p><b>Florida Public Service Commission</b>          2540 Shumard Oak Blvd.          Tallahassee, Florida 32399</p> <p>tel: (850) 413-6440          fax: (850) 413-6450</p>
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EDWARD A. SLAVIN, JR.  
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Florida Public Service Commission  
Division of PSCA

February 27, 2006

Honorable Braulie L. Baez, Chairman,  
Honorable Randy Roland, Administrator  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850 Via fax to (800) 511-0809

**Second Petition for Rulemaking**

Dear Chairman Baez:

We hereby petition the Florida Public Service Commission to

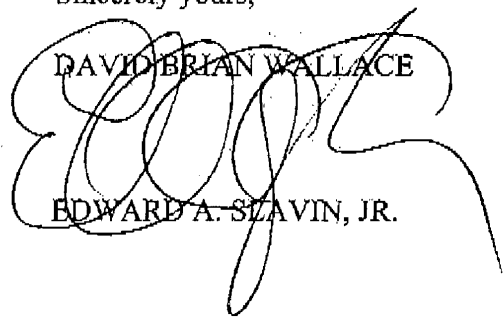
- 34. Forbid utilities from connecting service to any structure, organization or person that does not have a valid permit from the city, county and water management district to use such structure for the use to which it is being put (e.g., remote homes that were approved only as agricultural buildings and impact endangered wetlands).
- 35. Revoke and cancel all regulations that improperly delegate core government regulatory functions to regulated utilities, including delegating to utilities (by telephone or letter) the function of resolving consumer complaints *ab initio*, withholding any PSC action for months and refusing to rule on motions or do justice. See, e.g., INS v. Chadha, 462 U.S. 919 (1983); Schechter Poultry Corp. v. United States, 295 U.S. 495 (1935); Zemel v. Rusk, 381 U.S. 1,21 (1965)(Black, J. dissenting); Panama Refining Co. v. Ryan, 293 U.S. 388 (1935).

Thank you.

With kindest regards, we are,

Sincerely yours,

DAVID BRIAN WALLACE



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