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COMMISSION  
CLERK

RESOLUTION  
NUMBER 2013-003

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

CERTIFIED TRUE COPY  
OF THE ORIGINAL  
BARBARA T. SCOTT  
CLERK OF THE CIRCUIT COURT  
CHARLOTTE COUNTY, FLORIDA  
BY: *Michelle D. Brund*  
DEPUTY CLERK

RECITALS

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

WHEREAS, the Board 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:

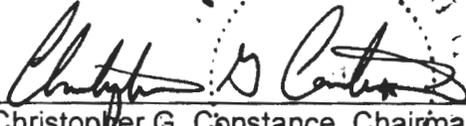
1. Charlotte County, Florida, is hereby subject to the provisions of Chapter 367, Florida Statutes, the "Water and Wastewater Regulatory Law," effective immediately, and all non-exempted water and sewer systems in the County that meet the definition of "utility" as defined by Section 367.021, Florida 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 Florida Public Service Commission of the adoption of this resolution by mailing a certified copy of this resolution to the Florida Public Service Commission forthwith.

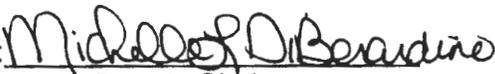
3. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED 12<sup>th</sup> day of February 2013 by the Board of County Commissioners of CHARLOTTE COUNTY.

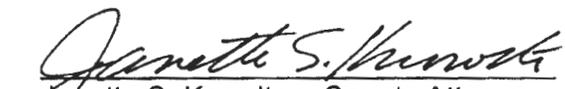
BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY

By   
Christopher G. Constance, 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:

  
Janette S. Knowlton, County Attorney  
MB

BARBARA T. SCOTT  
CLERK OF THE CIRCUIT COURT  
18500 MURDOCK CIRCLE  
PORT CHARLOTTE, FLORIDA 33948  
ATTN: COMMISSION MINUTES

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