

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: June 27, 2024

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Engineering (Ramirez-Abundez, Ramos) *TB*
Office of the General Counsel (Dose, Crawford) *JSC*

RE: Docket No. 20240095-WS – Resolution of the Board of County Commissioners of Citrus County declaring Citrus County subject of the provisions of Sections 367, F.S.

AGENDA: 07/09/24 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

On May 28, 2024, the Board of County Commissioners of Citrus County (County) adopted Resolution No. 2024-040 (Resolution, Attachment A), transferring regulation of the privately-owned, for profit water and wastewater utilities in the County to the Florida Public Service Commission (Commission). Effective upon the adoption of the resolution, all non-exempt water and wastewater systems in the County became subject to the provisions of Chapter 367, Florida Statutes (F.S.). Therefore, the effective date of the transfer of jurisdiction is May 28, 2024. This recommendation addresses the acknowledgement of that Resolution. The Commission has jurisdiction pursuant to Section 367.171, F.S.

Discussion of Issues

Issue 1: Should the Commission acknowledge Resolution No. 2024-040 by the Board of County Commissioners of Citrus County?

Recommendation: Yes. The Commission should acknowledge Resolution No. 2024-040 by the Board of County Commissioners of Citrus County, effective May 28, 2024. All non-exempt, privately-owned water and wastewater utilities in Citrus County should be directed to comply with the provisions of Chapter 367, F.S. (Ramirez-Abundez, Dose)

Staff Analysis: On May 28, 2024, the Board of County Commissioners of Citrus County passed and adopted Resolution No. 2024-040, which transfers jurisdiction over the County's privately-owned water and wastewater utilities to the Commission. In addition, staff has contacted the County requesting information on each utility's current rates, charges, and territory served. As part of its response to staff, the County provided a list of its 13 privately-owned water and wastewater utilities, which is appended to this recommendation as Attachment B. Since they are now subject to Chapter 367, F.S., each utility must continue to collect the rates and charges for water and wastewater service which were being collected on May 28, 2024, until changed by the Commission.

Staff has contacted the Florida Department of Environment Protection (DEP) to advise it of the Resolution, and to obtain a list of all privately-owned water and wastewater facilities in Citrus County, which the DEP monitors for environmental compliance. The utilities identified by the County and the DEP will receive a letter from Commission staff advising them of the transfer of jurisdiction and providing them with information to determine whether or not they are exempt from Commission regulation, pursuant to Section 367.022, F.S.

Entities which are not exempt from Commission regulation will receive instruction for filing an application for grandfather certificates. The resulting applications will be processed in individual dockets. These applicants will also be advised of their responsibility to file an annual report for 2024, pursuant to Rule 25-30.110, Florida Administrative Code (F.A.C.), as well as their responsibility to remit Annual Regulatory Assessment Fees (RAFs). The applicants will also be advised of their right to file for a pass-through of RAFs should they not be currently collecting RAFs, or if they are collecting a lesser amount than they would be paying to the Commission.

Staff recommends that the Commission acknowledge Resolution No. 2024-040 by the Board of County Commissioners of Citrus County, effective May 28, 2024. All non-exempt, privately-owned water and wastewater utilities in Citrus County should be directed to comply with the provisions of Chapter 367, F.S.

Issue 2: Should this docket be closed?

Recommendation: This docket should remain open to process letters to water and wastewater operators and their subsequent responses. Upon staff's verification that the final response from a water or wastewater system operator affirming exemption status has been received and that no further action is necessary, this docket should be closed administratively. (Dose)

Staff Analysis: This docket should remain open to process letters to water and wastewater operators and their subsequent responses. Upon staff's verification that the final response from a water or wastewater system operator affirming exemption status has been received and that no further action is necessary, this docket should be closed administratively.



ANGELA VICK

CLERK OF THE CIRCUIT COURT AND COMPTROLLER
CITRUS COUNTY, FLORIDA

Clerk of the County Court
Recorder of Deeds
Clerk and Accountant of the Board of County Commissioners
Custodian of County Funds
County Auditor

110 North Apopka Avenue
Inverness, Florida 34450
Telephone: (352) 341-6455
Fax: (352) 341-6477
CommissionRecords@citrusclerk.org
www.citrusclerk.org

May 29, 2024

Office of Records and Reporting of the
Florida Public Service Commission
2450 Shumard Oak Blvd
Tallahassee Florida 32399-0850

To Whom It May Concern:

Please find enclosed a certified copy of Resolution Number 2024-040, which was adopted by the Citrus County Board of County Commissioners at their meeting held on May 28, 2024.

Respectfully,

A handwritten signature in blue ink, appearing to read "Amy Novinger".

Angela Vick, Clerk

By: Amy Novinger, Deputy Clerk

Enclosure

RESOLUTION NO. 2024- 040

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, DECLARING THAT CITRUS COUNTY IS SUBJECT TO ALL PROVISIONS OF CHAPTER 367, FLORIDA STATUTES; RE-ESTABLISHING CHAPTER 367 JURISDICTION OF THE FLORIDA PUBLIC SERVICE COMMISSION OVER WATER AND WASTEWATER UTILITIES WITHIN CITRUS COUNTY; RESCINDING RESOLUTION NO. 99-111; RESCINDING RESOLUTION NO. 99-142; RESCINDING RESOLUTION NO. 2007-015; RESCINDING RESOLUTION NO. 2008-052; REPEALING RULES OF THE BOARD SUPPLEMENTAL TO THE CITRUS COUNTY WATER AND WASTEWATER UTILITIES REGULATORY ORDINANCE.

WHEREAS, on July 27, 1999, pursuant to Section 367.171(1), Florida Statutes, the Board adopted Resolution No. 99-111 and assumed jurisdiction over private water and wastewater facilities located in Citrus County;

WHEREAS, on August 24, 1999, the Board adopted Citrus County Ordinance No. 99-07, entitled "Citrus County Water and Wastewater Regulatory Ordinance," establishing the standards for regulation of water and wastewater facilities in Citrus County;

WHEREAS, on September 14, 1999, the Board adopted Resolution No. 99-142, establishing Rules of the Board supplemental to the Citrus County Water and Wastewater Regulatory Ordinance;

WHEREAS, on June 12, 2007, the Board adopted Resolution No. 2007-015, amending Resolution No. 99-142 and the Rules of the Board supplemental to the Citrus County Water and Wastewater Regulatory Ordinance;

WHEREAS, on February 26, 2008, the Board adopted Resolution No. 2008-052, further amending the Rules of the Board supplemental to the Citrus County Water and Wastewater Regulatory Ordinance;

WHEREAS, the Board has determined that the interest of the citizens of Citrus County would be best served if the local utilities were hereafter regulated by the Florida Public Service Commission;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida in regular session this 28th day of May, 2024, as follows:

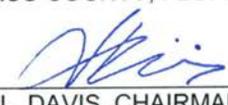
1. Resolution No. 99-111, removing Citrus County from the Chapter 367, Florida Statutes, jurisdiction of the Florida Public Service Commission is hereby rescinded.
2. Citrus County private water and wastewater utilities are hereafter subject to the provisions of Chapter 367, Florida Statutes, and the jurisdiction of the Florida Public Service Commission.
3. Resolutions No. 99-142, 2007-015 and 2008-052, adopting the Rules of the Board supplemental to the Citrus County Water and Wastewater Utilities Regulatory Ordinance are hereby rescinded and the Rules are hereby repealed.
4. The Clerk of the Board shall, as soon as possible, notify the Florida Public Service Commission of the adoption of this Resolution and mail a certified copy of this Resolution to the Office of Records and Reporting of the Florida Public Service Commission, 2450 Shumard Oak Blvd., Tallahassee, Florida 32399-0850.
5. This Resolution shall become effective immediately upon its adoption.

ATTEST:


for ANGELA VICK, CLERK



BOARD OF COUNTY COMMISSIONER
OF CITRUS COUNTY, FLORIDA


HOLLY L. DAVIS, CHAIRMAN

APPROVED AS TO FORM ONLY
FOR RELIANCE OF COUNTY


Denise A. Dymond Lyn

APPROVED

MAY 28 2024

BOARD OF COUNTY
COMMISSIONERS

**CITRUS COUNTY
 OFFICE OF UTILITY REGULATION**

<u>BUSINESS NAME</u>	<u>ADDRESS</u>	<u>POC</u>	<u>PHONE #</u>	<u>EMAIL</u>
Central States Water Resource (CSWR)	P.O. Box 674538 Dallas, TX 75267-4538	Aaron Silas	Phone: 314-380-8510 314-323-3174 (mobile)	asilas@cswrqgroup.com
Cinnamon Ridge Utilities	6909 Beach Blvd. Hudson, Florida 34667-1995	Paula Paxton Jennifer Smith	Phone: 727-863-2560 Emergency: 352-628-6608 Fax: 727-863-36370	jensmith6909@aol.com
Citrus Waterworks	4939 Cross Bayou Boulevard New Port Richey, Florida 34652	Troy Rendell	Phone: 727-848-8292 314-323-3174 (mobile) Fax: 727-848-7701	trendell@uswatercorp.net
Dunnellon Hills Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Forest Hills Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Haggerty Point Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Indian Springs Utilities	P.O. Box 518 Crystal River, Florida 34423	Jeff Schrade	Phone: 352-795-5205 Emergency: 352-634-0726	jschrade1@tampabay.rr.com
La Prima Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Lucky Hills Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Meadow Wood Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Pinewood Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Springhorn Water System	P.O. Box 4 Inglis, Florida 34449-0004	Marshal Hash	Phone: 352-613-0103	marshall@hash.com
Tarawood Utilities, LLC	P.O. Box 1018 Floral City, Florida 34436-1018	John Thrumston	Phone: 352-302-5330 Phone: 407.970.7705	tarawoodutilities@gmail.com