

911141-EX

1 Introduced by Council Member Leggett:

ORIGINAL  
FILE COPY

4 RESOLUTION 92-937-167

5 A RESOLUTION EXPRESSING TO THE FLORIDA PUBLIC  
6 SERVICE COMMISSION THE CONSOLIDATED CITY'S  
7 OPPOSITION TO THE EFFORTS OF OKEFENOKE RURAL  
8 ELECTRIC MEMBERSHIP CORPORATION TO ESTABLISH  
9 EXCLUSIVE RIGHTS TO PROVIDE ELECTRIC SERVICE WITHIN  
10 A PORTION OF THE CONSOLIDATED CITY OF  
11 JACKSONVILLE; PROVIDING AN EFFECTIVE DATE.

13 WHEREAS, the Charter of the Consolidated City of Jacksonville was established on  
14 October 1, 1968, by a Special Act of the Florida Legislature in Chapter 67-1320, Laws of  
15 Florida, granting the City all rights to operate and manage the affairs of the  
16 Consolidated City in all areas known as the General Services District (all of Duval  
17 County); and

18 WHEREAS, pursuant to Article 1 of the Charter, the City has the jurisdiction as a  
19 chartered county and the jurisdiction as a municipality throughout the Consolidated City;  
20 and

21 WHEREAS, pursuant to Article 2 of the Charter, the City shall furnish all  
22 governmental services including electricity; and

23 WHEREAS, the Jacksonville Electric Authority (JEA) was also established on  
24 October 1, 1968, by Special Act of the Florida Legislature, Chapter 67-1569, now Article  
25 21 of the Jacksonville Charter, granting JEA the right to serve all electric consumers  
26 within the Consolidated City of Jacksonville (Duval County); and

1       WHEREAS, except for the rights granted to Florida Power and Light Company, the  
2 Council has not granted to any other electric utility the rights to provide electric service  
3 within the Consolidated City; and

4       WHEREAS, Okefenoke Rural Electric Membership Corporation (Okefenoke), a  
5 member owned electric utility located in Nahunta, Georgia which exists as an electric  
6 utility under the Federal Rural Electric Administration and under Chapter 425 of the  
7 Florida Statutes, provides electric service within the Consolidated City pursuant to  
8 Chapter 718 of the Jacksonville Ordinance Code which specifically limits Okefenoke  
9 rights to serve electric consumers within the Consolidated City; and

10       WHEREAS, Okefenoke, whose rights to serve under Chapter 718 of the Jacksonville  
11 Ordinance Code, originally Jacksonville Ordinance 68-120-88, has never requested that  
12 the Council expand such rights nor requested a franchise or any other rights to provide  
13 electric service within the Consolidated City; and

14       WHEREAS, in spite of the limitations placed upon the Florida Public Service  
15 Commission under Chapter 366, Section 366.04 (2), Florida Statutes, regarding  
16 jurisdiction over a municipally owned electric utility within its corporate limits,  
17 Okefenoke has petitioned to the Florida Public Service Commission requesting that they  
18 be granted the exclusive rights to serve electric consumers within the northern portion  
19 of the Consolidated City; and

20       WHEREAS, the citizens of the Consolidated City are the owners of the Jacksonville  
21 Electric Authority and are proud of the successful and efficient operation of their  
22 electric utility; and

23       WHEREAS, as owners and taxpayers within the Consolidated City, the citizens  
24 desire to maintain JEA's rights to serve all electric customers within the Consolidated  
25 City, as demonstrated by petitions with hundreds of signatures being delivered to the  
26 Council; and

27       WHEREAS, the Council desires to communicate to the Florida Public Service  
28 Commission that the City opposes any action which would limit or interfere with the  
29

1 Council's ultimate right to manage the affairs of the Consolidated City including the  
2 right to determine the providers of electric service within the Consolidated City; now,  
3 therefore

4 BE IT RESOLVED by the Council of the City of Jacksonville:

5 Section 1. The Council and the Mayor of the City of Jacksonville oppose the  
6 action requested by Okefenoke that the Florida Public Service Commission in any  
7 manner limit, interfere, or restrict JEA's rights to provide electric service to each and  
8 every electric consumer within the Consolidated City of Jacksonville (Duval County).

9 Section 2. This resolution shall become effective upon signature by the Mayor or  
10 upon becoming effective without the Mayor's signature.

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12 Form approved:

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15 Senior Assistant General Counsel

16 PSC/lmt 6/2/92  
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RESOLUTION 92-937-167


CERTIFICATE OF AUTHENTICATION


DECLARED AN EMERGENCY MEASURE AND  
ADOPTED BY THE COUNCIL

June 9, 1992

  
WARREN A. JONES  
COUNCIL PRESIDENT

ATTEST:  
  
BEVERLY S. DOMEN  
SECRETARY TO THE COUNCIL



APPROVED 6-12-92  
  
ED AUSTIN, MAYOR