Introduced by Council Member Leggett:

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## RESOLUTION 92-937-167

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Form approved:

Senior Assistant General Counsel

PSC/lmt 6/2/92

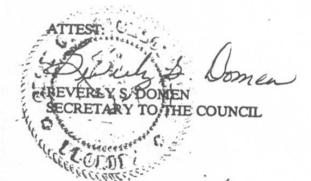
## **RESOLUTION** 92-937-167

## CERTIFICATE OF AUTHENTICATION

## DECLARED AN EMERGENCY MEASURE AND ADOPTED BY THE COUNCIL

June 9 ,1992

a WARREN A. JONES COUNCIL PRESIDENT



APPROVED ED AUSTIN, MAYOR