

Board of Collier County Commissioners

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John C. Norris
District 1

Timothy L. Hancock, AICP
District 2

Timothy J. Constantine
District 3

Pamela S. MacKie
District 4

Bettye J. Matthews
District 5

February 28, 1996

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850

96 02 72-WS

RE: Collier County Resolution to Exclude Collier County from
the provisions of Chapter 367, Florida Statutes.

Dear Ms. Bayo:


This letter is to advise you and the Florida Public Service Commission that on Tuesday, February 27, 1996, the Board of County Commissioners of Collier County, Florida, pursuant to Subsection 367.171(1), Florida Statutes, adopted the attached Resolution and thereby excluded Collier County from the provisions of Chapter 367, Florida Statutes. The Resolution (No. 96-104) became effective immediately on February 27, 1996.

A certified copy of Resolution No. 96-104 and a duplicate copy are enclosed.

Please acknowledge your receipt of this Resolution by stamping and returning the duplicate copy to me in the enclosed, self-addressed, stamped envelope.

If you have any questions, please call me at (941) 774-8406.

Sincerely,


Maureen Kenyon,
Supervisor

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cc: John C. Norris, Chairman
Board of County Commissioners
David C. Weigel, County Attorney

DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING

A RESOLUTION OF COLLIER COUNTY, FLORIDA, PURSUANT TO SECTION 367.171, FLORIDA STATUTES, RESCINDING COLLIER COUNTY RESOLUTION NO. 85-104 AND EXCLUDING COLLIER COUNTY FROM THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES, AND REMOVING JURISDICTION OF THE FLORIDA PUBLIC SERVICE COMMISSION OVER PRIVATE WATER AND WASTEWATER UTILITIES IN COLLIER COUNTY AS PROVIDED BY CHAPTER 367, FLORIDA STATUTES.

WHEREAS, on April 16, 1985, the Board adopted Resolution No. 85-104 and thereby declared and effectuated that Collier County immediately become subject to all provisions of Chapter 367, Florida Statutes, thereby establishing Chapter 367 jurisdiction of the Florida Public Service Commission over private water and wastewater utilities within Collier County; and

WHEREAS, Section 367.171(1), Florida Statutes, provides that a county, after ten (10) continuous years under Chapter 367, Florida Statutes, jurisdiction of the Florida Public Service Commission may, by resolution or ordinance, rescind any such prior resolution or ordinance of that county which imposed Florida Public Commission jurisdiction over such utilities, and thereby assume County jurisdiction over such private water and wastewater utilities; and

WHEREAS, the interests of the citizens of Collier County will be better served presently and in the future if private water and wastewater utilities are hereafter regulated locally by Collier County, a political subdivision of the State of Florida.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Collier County, Florida, that:

1. Pursuant to Section 367.171, Florida Statutes, Resolution No. 85-104, which was adopted by Collier County on April 16, 1985, and which established Chapter 367, Florida Statutes, jurisdiction of the Florida Public Service Commission over private water and wastewater utilities within Collier County, is hereby rescinded.

2. This Resolution expressly excludes Collier County from the provision of Chapter 367, Florida Statutes, except to the very limited extent provided otherwise in Section 367.171, Florida Statutes, and thereby immediately removes Chapter 367, Florida Statutes, jurisdiction of the Florida Public Service Commission over private water and wastewater utilities in Collier County as provided by law.

3. The Clerk to the Board shall, as soon as possible, notify the Florida Public Service Commission of the adoption of this Resolution and shall mail a certified copy of this Resolution to the Office of Records and Reporting of the Florida Public Service Commission in Tallahassee, Florida.

This Resolution adopted this 27 day of February, 1996 after motion, second and majority vote favoring same.

ATTEST:
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: [Signature]

[Signature]
JOHN C. NORRIS, Chairman

Approved as to form and legal sufficiency:

[Signature]
David C. Weigel
County Attorney

resolutions/pac
DCW/mrb/10663

State of FLORIDA
County of COLLIER

HEREBY CERTIFY THAT this is a true and correct copy of a document on file in Board Minutes and Records of Collier County
WITNESS my hand and official seal this 27th day of February, 1996.

DWIGHT E. BROCK, CLERK OF COURTS

By: [Signature] D.C.

State of Florida



Commissioners:
N F. CLARK, CHAIRMAN
ERRY DEASON
ULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA

DIVISION OF RECORDS &
REPORTING
BLANCA S. BAYÓ
DIRECTOR
(904) 413-6770

Public Service Commission

March 5, 1996

Ms. Maureen Kenyon
Board of Collier County Commissioners
3301 East Tamiami Trail
Naples, FL 33962-4977

Re: Docket No. 960272-WS

Dear Ms. Kenyon:

This will acknowledge receipt of Resolution 96-104 by Board of Collier County Commissioners rescinding Florida Public Service Commission jurisdiction over private water and wastewater companies in Collier County, which was filed in this office on March 4, 1996 and assigned the above-referenced docket number. Appropriate staff members will be advised.

A tentative schedule of events in the docket is available upon request. You may contact the Records Section at (904) 413-6770 to request that a copy of the case schedule be faxed or mailed to you. The schedule of events provides you with an opportunity to anticipate completion stages of work in the docket. These dates are subject to change; therefore, you should call the Records Section to obtain revised schedules. For firm dates of hearings or other activities, please look to the Commission's official notices and orders. You can also obtain information on your docket by accessing the PSC HomePage on the Internet, at <http://www.state.fl.us/psc/psc/html>.

Sincerely,

A handwritten signature in cursive script that reads "Linda C. Williams".

Linda C. Williams
Commission Deputy Clerk