

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of Board of ) DOCKET NO. 921118-WS  
County Commissioners of Okaloosa ) ORDER NO. PSC-92-1409-FOF-WS  
County Subject to Provisions of ) ISSUED: 12/3/92  
Chapter 367, Florida Statutes )  
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The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
SUSAN F. CLARK  
J. TERRY DEASON  
BETTY EASLEY  
LUIS J. LAUREDO

ORDER ACKNOWLEDGING JURISDICTIONAL RESOLUTION OF  
THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY  
DECLARING OKALOOSA COUNTY SUBJECT TO THE  
PROVISIONS OF CHAPTER 367, FLORIDA STATUTES

BY THE COMMISSION:

On October 20, 1992, the Board of County Commissioners of Okaloosa County adopted Resolution No. 92-131 pursuant to Section 367.171, Florida Statutes, declaring that, as of October 20, 1992, the water and wastewater utilities in that county shall become subject to the provisions of the Water and Wastewater Regulatory Law, Chapter 367, Florida Statutes. The Okaloosa County resolution was received by the Florida Public Service Commission (Commission) on October 29, 1992. The effect of the resolution is to invoke the Commission's jurisdiction over water and wastewater systems in Okaloosa County beginning October 20, 1992.

We, therefore, find that the provisions of Chapter 367, Florida Statutes, became applicable in Okaloosa County, effective October 20, 1992. All utilities as defined by Chapter 367, Florida Statutes, shall comply with the following provisions of this Order.

Each utility shall register with this Commission within 30 days of the date the Commission receives jurisdiction, as required by Section 367.171(2)(a), Florida Statutes. All utilities must obtain either a grandfather certificate or an exemption from regulation pursuant to Section 367.031, Florida Statutes.

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Each utility desiring to obtain a grandfather certificate for the area served by such utility as of October 20, 1992, should make application to this Commission, pursuant to Section 367.171(2)(a), Florida Statutes, within 90 days of the date this Commission receives jurisdiction.

Each utility shall continue to collect the rates and charges for water and wastewater service which were being collected on October 20, 1992. Such rates and charges shall remain in effect until changed by this Commission.

Now, in consideration of the foregoing, it is,

ORDERED by the Florida Public Service Commission that the resolution of the Board of County Commissioners of Okaloosa County, declaring that County to be subject to the provisions of Chapter 367, Florida Statutes, effective October 20, 1992, be and the same is hereby acknowledged. It is further

ORDERED that all water and wastewater utilities in Okaloosa County are hereby directed to comply with Commission procedures as set forth in the body of this Order and Chapter 367, Florida Statutes. It is further

ORDERED that this docket shall remain open until all utilities have complied with the provisions as set forth in this Order.

By ORDER of the Florida Public Service Commission this 3rd day of December, 1992.

STEVE TRIBBLE, Director  
Division of Records and Reporting

by: Kay Flynn  
Chief, Bureau of Records

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.