

RESOLUTION 2001 - 128

A RESOLUTION RESCINDING FLORIDA PUBLIC SERVICE COMMISSION JURISDICTION OVER INVESTOR-OWNED WATER AND WASTEWATER SYSTEMS IN NASSAU COUNTY.

WHEREAS, Florida law permits counties, through their boards of county commissioners, to decide whether the regulation offered by the Florida Public Service Commissioner (FPSC) shall be operative for investor-owned water and wastewater systems located in their counties; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, more than ten (10) years ago, ceded authority to regulate investor-owned water and wastewater systems located in Nassau County to the FPSC; and

WHEREAS, the FPSC has exercised regulatory jurisdiction over investor-owned water and wastewater systems in Nassau County since approximately 1980, a period exceeding ten (10) continuous years; and

WHEREAS, Chapter 367, Florida Statutes, authorizes counties through their boards of county commissioners to reinstate their own regulatory authority and exclude themselves from FPSC jurisdiction over investor-owned water and wastewater utilities within their counties after at least ten (10) continuous years of FPSC jurisdiction; and

WHEREAS, the Board of County Commissioners finds that the citizens of Nassau County will be better served under

County regulation of investor-owned water and wastewater systems; and

WHEREAS, Chapter 367, Florida Statutes, prescribes minimum conditions for a county's exercise of regulatory jurisdiction which the Board of County Commissioners has reviewed and considered; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has determined to reinstate the County's regulatory authority and to be excluded henceforth from the provisions for FPSC jurisdiction over investor-owned water and wastewater systems located within Nassau County.

NOW, THEREFORE, BE IT RESOLVED this 17th day of September, 2001, by the Board of County Commissioners of Nassau County, Florida, as follows:

Section 1. Pursuant to Section 367.171, Florida Statutes, and its home rule powers under Florida law, the Board of County Commissioners of Nassau County, Florida, rescinds any prior regulatory authority that authorized the FPSC to regulate investor-owned water and wastewater systems located within Nassau County.

Section 2. Pursuant to Section 367.171, Florida Statutes, and its home rule powers under Florida law, the Board of County Commissioners of Nassau County, Florida, hereby excludes itself from the provisions of Chapter 367,

Florida Statutes, and reinstates its regulatory authority over investor-owned water and wastewater systems located within Nassau County.

Section 3. Effective immediately, the Board of County Commissioners of Nassau County, Florida, exercises jurisdiction over investor-owned water and wastewater systems located within Nassau County, Florida.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



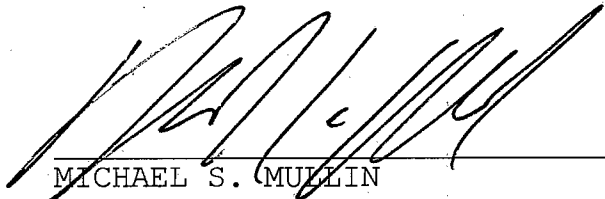
MARIANNE MARSHALL
Its: Chairman

ATTEST:



J. M. "CHIP" OKLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

h/anne/res/psc-investor-owned-utilities