

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 926

SPONSOR: Committee on Regulated Industries and Senator Cowin

SUBJECT: Water & Wastewater Utilities

DATE: April 7, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Martin</u>	<u>Guthrie</u>	<u>RI</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>CA</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill requires that when a water or wastewater utility files for a rate change with the Florida Public Service Commission (PSC), it must provide notice to the governing body of all counties in its service area affected by the requested rate change. The bill further provides that the PSC grant any petition for intervention in the rate proceeding by any such governing body. The bill provides an effective date.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: 367.091.

II. Present Situation:

The PSC has exclusive jurisdiction over the rates of water and wastewater utilities within counties that have been declared by their governing bodies to be subject to Chapter 367, Florida Statutes. *See, s. 367.011(2), F.S.* Upon filing a petition for a general rate increase, a utility is required by PSC policy, but not by law, to mail a copy of the petition to the chief executive officer of the governing body of each municipality and county within the service areas included in the rate request. The utility is also required to mail to those same officers a copy of its rate synopsis within 30 days after the official date of filing established by the PSC. *See, Chapter 25-22.0407(2) and (4)(b), F.A.C.* These notification requirements do not apply to staff assisted rate cases.

If a city or county petitions the PSC to intervene in a pending rate case, that petition generally is granted. The PSC may deny intervention, though its practice in recent years has been to allow affected parties who wish to participate in a rate proceeding to do so.

III. Effect of Proposed Changes:

Section 1 amends s. 367.091, F.S., to require that the utility requesting a rate change notify the governing bodies of all counties in the service area affected by the rate application; and requires

the Florida Public Service Commission grant all petitions for intervention filed by such governing bodies.

Section 2 provides an effective date of July 1, 1999.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

This bill is a companion to HB 625.

VIII. Amendments:

None.

