

By Senator Bennett

21-1447-04

1 A bill to be entitled
2 An act relating to regulatory assessment fees;
3 amending s. 367.145, F.S.; requiring large
4 water and wastewater utilities to pay the fee
5 semiannually; requiring small utilities with
6 revenues less than \$200,000 to pay annually;
7 providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsection (1) of section 367.145, Florida
12 Statutes, is amended to read:

13 367.145 Regulatory assessment and application fees.--

14 (1) The commission shall set by rule a regulatory
15 assessment fee that each utility must pay in accordance with
16 s. 350.113(3); however, each small utility with annual
17 revenues of less than \$200,000 shall pay once a year in
18 conjunction with filing its annual financial report required
19 by commission rule. Notwithstanding any provision of law to
20 the contrary, the amount of the regulatory assessment fee
21 shall not exceed 4.5 percent of the gross revenues of the
22 utility derived from intrastate business, excluding sales for
23 resale made to a regulated company.

24 (a) A governmental authority to which ownership or
25 control of a utility is transferred is not liable for any fees
26 owed the commission by the utility as of the date of transfer.
27 However, whenever a purchase at wholesale is made of any water
28 or wastewater service and a fee is paid or payable thereon by
29 the selling utility and the utility purchasing such water or
30 wastewater service resells the same directly to customers, the
31 purchasing utility is entitled to, and must receive, credit on

1 such fees as may be due by it under this section to the extent
2 of the fee paid or payable upon such water or wastewater
3 service by the utility from which such purchase was made. All
4 such fee payments and penalties must be deposited in
5 accordance with s. 350.113.

6 (b) In addition to the penalties and interest
7 otherwise provided, the commission may impose a penalty upon a
8 utility for failure to pay regulatory assessment fees in a
9 timely manner in accordance with s. 367.161.

10 Section 2. This act shall take effect July 1, 2004.

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SENATE SUMMARY

Requires water and wastewater utilities with annual revenues of less than \$200,000 to pay the regulatory assessment fee once a year and all other utilities to pay the fee semiannually.