Utility Wisdom in Law and Regulation

Grace Johns
Chair, FSAWWA

Each day legislators and regulators in Tallahassee and Washington, D.C., make decisions on law, policy, and regulation that have the potential to impact water and wastewater utility operations. Our member utilities are the ultimate experts in the provision of safe, reliable, and affordable water and wastewater services to Florida residents and visitors, and therefore, must provide input to our state and national leaders. Without this critical input, the resulting laws and regulations could hinder or burden our utilities and their customers. This is why FSAWWA has a long history of supporting its Utility Council.

Our Mission, Goals, and Leadership

The FSAWWA Utility Council’s mission is to develop action programs to initiate, evaluate, respond, and comment on legislative, regulatory, and other matters directly affecting water utilities in Florida at the state and national level. The council represents utilities providing drinking water to over 9 million Florida residents. Membership covers the entire state, from small water utilities serving a few hundred customers to those serving over a million customers.

A key element of FSAWWA’s strategic plan is to increase its involvement, credibility, and effectiveness with legislators and regulatory agencies. To meet this objective, the council will continue to:

- Expand its advocacy efforts
- Develop effective alliances with other organizations
- Develop legislative and regulatory policies that clearly define positions on specific legislative and/or regulatory issues

The council is led by its chair, Lisa Wilson-Davis, of the City of Boca Raton. She is supported by the following council officers:

- Past Chair: Rob Teegarden, OUC
- Vice Chair: Patty DiPiero, Lee County
- Secretary/Treasurer: Kevin Carter, Broward County
- Legislative Committee Chair: Christopher Pettit, Palm Beach County
- Regulatory Committee Chair: Krystal Azarella, Polk County

Over the past few decades, I have personally observed the year-round effort of the council members as they followed and provided comments and recommendations on numerous proposed regulations, laws, and policies, and interacted with our legislators and regulators. For example, last year the council provided timely alerts and information to members regarding the Florida Department of Environmental Protection (FDEP) Emergency Public Notification of Pollution Rule and subsequent proposed rule. The council provided comments to FDEP regarding unique issues associated with water treatment facility operations and the management of domestic wastewater collection and treatment facilities. In January of this year, an administrative law judge ruled that FDEP overstepped its authority in proposing new requirements for notifying the public when pollution occurs. The council continues to monitor the status of this proposed rule, including the resulting proposed legislative amendments.

January’s Tallahassee Fly-In

The council leads FSAWWA’s Tallahassee Fly-In and participates in the AWWA Washington, D.C., Fly-In each year. This year’s “Tally Fly-In” was held in our state capital on January 24 and 25. With many new senate and house members, this was a great opportunity to introduce ourselves to them and their staff. To this end, the council held a “Legislative Introduction to Water Policy for Legislators and Staff” seminar on Tuesday afternoon at the Governor’s Club, followed by a reception. Both events were well attended by our legislators and their staff and provided a free exchange of information regarding water legislation and Florida’s water industry. For utilities that desired face-to-face interaction with their state representatives, this was a valuable opportunity.

The seminar covered the following topics:

- Utility overview of water supply and treatment processes
- Summary of Florida’s water regulatory framework and critical needs
- Explanation of Florida’s water supply planning process
- Water supply funding needs and their statutory basis
- FSAWWA’s participation in reclaimed water issues, with recommendations
- Water quality regulations and compliance, with a focus on the Lead and Copper Rule

The council speakers gave engaging and informative presentations, and included Lisa Wilson-Davis, Kevin Carter, Christopher Pettit, Brian Wheeler of Toho Water Authority, Jan McLean with the City of Tampa, and Josh Behr of Polk County Utilities.

The next day, 20 of our council members met with 19 senate and house representatives and their staff members during individual meetings to discuss issues important to our members and to exchange information and knowledge.

After the meetings, Lisa Wilson-Davis stated, “I want to thank the council’s regulatory and legislative advocates, Gunster and Littlejohn Mann Associates, and all of the council member volunteers, for their hard work and dedication in making this year’s FSAWWA Utility Council Tallahassee Fly-In a huge success! Everything from the venue to the council meeting to the legislative presentation; the food, the social, and the many member visits; and the countless hours of preparation all came together seamlessly. We have received great and positive feedback from many of the participants, as well as our council members. Our presence was definitely felt in the capitol!”

Should You Become an FSAWWA Utility Council Member?

The benefits of being a Utility Council member include the ease at which your utility can keep up to date with the dynamic world of evolving water laws, policies, and regulations, and interaction with your state and national representatives to influence their views on the water industry. The FSAWWA chair-elect, William Young, utilities director at St. Johns County Utility Dept., says, “As a utility director, we have to stay informed on what’s happening in Tallahassee and Washington. We’re getting more and more regulatory changes that impact our rate payers. Our Utility Council gives us that opportunity to stay informed.”
The council is only as strong as its active members. While the current members do an exemplary job of monitoring and communicating with state leadership, we could be more influential if more utilities throughout the state participated. In particular, during our recent visit, two house members recommended that council members visit the local offices of their state representatives to talk with them about water industry issues, concerns, and recommendations. They believe that this local exchange would go a long way toward increasing the role of Florida’s water utilities in developing sound laws, policies, and regulations.

**How to Become an FSAWWA Utility Council Member**

While membership in the council is separate from that of FSAWWA, it’s available to all FSAWWA utilities and service providers with an interest in the legislative and regulatory issues facing the water industry.

All AWWA utility members located in Florida are automatically members of the council. All they have to do is appoint a utility representative to attend the regular council meetings and become engaged in its activities. Utility members may obtain voting privileges on the council for an annual fee, ranging from $250 to $1,000, depending on the utility’s service population.

For a utility with employees who have AWWA individual memberships, but the utility is not an AWWA utility member, the annual fee for FSAWWA Utility Council membership, including voting privileges, ranges from $500 to $3,000, depending on service population size. Other AWWA member types, such as employees of a consulting firm, legal firm, manufacturer, or product vendor whose interests are compatible with the bylaws and objectives of FSAWWA and the council, may join the council as a nonvoting associate member for an annual fee of $1,000.

These annual fees are nominal, compared to the opportunities provided to interact with our state and national representatives and ensure that utilities have the resources, funding, and support from the state and federal governments to make a better Florida through better water.

For more information, contact Lisa Wilson-Davis, council chair; Peggy Guingona, FSAWWA executive director; or any of the council’s officers, using the contact information provided at www.fsawwa.org.