

VOTE SHEET

FEBRUARY 3, 1998

RE: DOCKET NO. 980076-SU - Disposition of contributions-in-aid-of-construction gross-up funds collected by Hudson Utilities, Inc. d/b/a Hudson Bay Company in Pasco County.

Issue 1: Should the Commission accept the settlement proposal of Hudson Utilities, Inc., and require the utility to refund excess gross-up collections plus accrued interest for the year 1996?

Recommendation: Yes. The Commission should accept Hudson's request that it be allowed recovery of 50% (\$3,044) of the accounting and legal expenses related to the preparation of the 1996 gross-up refund report. Based on the allowed recovery of 50 percent of the accounting and legal expenses, the utility should refund \$10,592. In addition to the refund amount, the utility should refund accrued interest through the date of refund, for gross-up of CIAC collected in excess of the tax liability. In accordance with Orders Nos. 16971 and 23541, all refunds should be made on a pro rata basis to those persons who contributed the taxes. The refunds should be completed within six months. The utility should submit copies of canceled checks, credits applied to monthly bills, or other evidence which verifies that the refunds have been made, within 30 days from the date of refund. Within 30 days from the date of refund, the utility should also file a list of unclaimed refunds detailing contributor and amount, and an explanation of the efforts made to make the refunds.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the Majority column]

REMARKS/DISSENTING COMMENTS:

COMMISSIONER GARCIA PARTICIPATED IN THE VOTE VIA VIDEO TELECONFERENCE. IN HIS VOTE, HE: AGREED WITH THE MAJORITY / DISSENTED. COMMISSIONER GARCIA WILL SIGN THE ORIGINAL VOTE SHEET UPON HIS RETURN TO TALLAHASSEE.

DOCUMENT NO. 980076-SU
 01777 FEB-4-98
 FPC/REGISTRATION

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Issue 2: Should the docket be closed?

Recommendation: No. Upon expiration of the 21-day protest period, this docket should remain open pending verification of the refunds. Staff should be given administrative authority to close the docket upon verification that the refunds have been completed.

APPROVED