

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

AUGUST 18, 1998

RE: DOCKET NO. 971192-WS - Application for grandfather certificates to operate a water and wastewater utility in Polk County by Bieber Enterprises Inc. d/b/a Breeze Hill Utilities.

Issue 1: Should Lake Walk In The Village Associates, LTD. be ordered to show cause, in writing within twenty days, why it should not be fined for violation of Section 367.071, Florida Statutes?

Recommendation: No. Show cause proceedings should not be initiated.

**DEFERRED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

*Staff to advise*

DOCUMENT NUMBER-DATE

08874 AUG 19 88

FPSO-RECORDS/REPORTING

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Issue 2: Should the Commission accept Breeze Hill Utility's Agreement for Deed as sufficient to meet the requirements of Rule 25-30.037(2)(q), Florida Administrative Code?

Recommendation: Yes.

Issue 3: Should the application of Breeze Hill Utilities for grandfather certificates in Polk County be granted?

Recommendation: Yes, Breeze Hill should be granted Water Certificate No. 598-W and Wastewater Certificate No. 513-S. In addition, Breeze Hill should be ordered to provide notice of the action taken at this agenda conference within seven days of the issuance date of the proposed agency action order issued in this docket to the Office of the Public Counsel, the Polk County Commission, and the utility customers. Breeze Hill should also be ordered to notice once in a newspaper of general circulation in the service area.

Issue 4: Should rate base be established and any acquisition adjustment be determined at this time?

Recommendation: No. The rate base should not be established in this docket. Rate base and acquisition balances should be determined in the utility's next rate proceeding.

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Issue 5: What rates and charges should be approved for this utility?

Recommendation: The rates and charges detailed in the staff analysis portion of staff's August 6, 1998 memorandum should be approved. The effective date of the rates and charges should be the stamped approval date on the tariff.

Issue 6: Should this docket be closed?

Recommendation: Yes. Upon expiration of the protest period, if no timely protests are filed, and upon submission of the proof of notification, the docket should be closed.