

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 19, 1999

RE: DOCKET NO. 970365-GU - Complaint of Mother's Kitchen Ltd. against Florida Public Utilities Company regarding refusal or discontinuance of service.

Issue 1: Should Florida Public Utilities Company's Motion to Strike Portions of Petitioners' Motion for Reconsideration of the Order Denying Complaint be granted?

Recommendation: Yes. Mother's Kitchen has appended to its Motion for Reconsideration, numerous documents not in the record of this proceeding. Consideration of such extra-record matters in the context of a Motion for Reconsideration is precluded by several provisions of Chapter 120, Florida Statutes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

00905 JAN 22 8

FPSC-RECORDS/REPORTING

VOTE SHEET

JANUARY 19, 1999

DOCKET NO. 970365-GU - Complaint of Mother's Kitchen Ltd. against Florida Public Utilities Company regarding refusal or discontinuance of service.

(Continued from previous page)

Issue 2: Should Mother's Kitchen's Motion for Reconsideration be granted?

Recommendation: No. Mother's Kitchen has failed to demonstrate any matter which the Commission overlooked or failed to consider when it rendered its order.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: The docket should be closed after the time for filing an appeal has run.

APPROVED