

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 1, 2000

RE: DOCKET NO. 990975-SU - Application for transfer of Certificate No. 281-S in Lee County from Bonita Country Club Utilities, Inc. to RealNor Hallandale, Inc.

Issue 1: Should Realnor Hallandale's Motion for Summary Final Order be approved?

Recommendation: Yes. Realnor Hallandale's Motion for Summary Final Order should be approved, and thus the objection of Mr. Miceli, President of BCCU, should be dismissed.

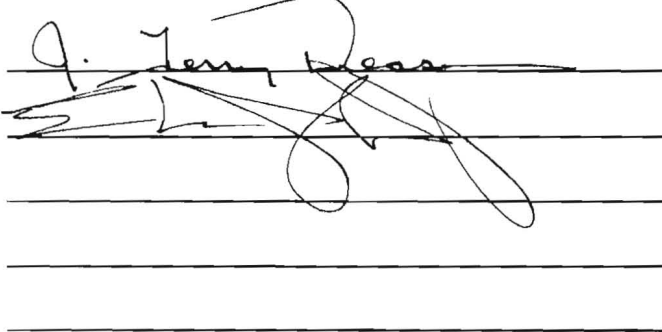
APPROVED

COMMISSIONERS ASSIGNED: DS JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signature of J. Jerry Dean on a set of four horizontal lines.

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

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Issue 2: If the Commission denies staff on Issue 1, what are the appropriate monthly expenses to be released from the escrow account for the purpose of operating Bonita Country Club Utilities, pending final resolution of the ownership interest?

Recommendation: While the issue of ownership is being determined, the terms of the escrow agreement established in Order No. PSC-99-2107-PCO-SU should be modified to ensure the continued operation of the utility. The modified escrow agreement should result in BCCU compensating Realnor Hallandale in the amount of \$9,383 each month from the escrow account for the monthly operations of the utility. In addition, after BCCU has compensated Realnor Hallandale for the monthly operations of the utility, BCCU should be compensated in the amount of \$5,703 each month for the billing services provided. BCCU should submit the 1998 annual report and regulatory assessment fee along with the required penalty and interest without further delay.

NO VOTE

Based on decision in Issue 1

Issue 3: If the Commission denies staff on Issue 1, should a separate escrow account be established for the purpose of collecting Contributions In Aid of Construction (CIAC)?

Recommendation: Yes, a separate escrow account should be established for the purpose of CIAC collections. All CIAC monies currently being held in escrow pursuant to Commission Order No. PSC-99-2107-PCO-SU should be deposited in the CIAC escrow account to be established. Any other CIAC received by BCCU should be deposited within seven days of its receipt in the CIAC escrow account to be established. BCCU should be put on notice that failure to comply with these requirements will result in the initiation of a show cause proceeding.

NO VOTE

Based on decision in Issue 1

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Issue 4: Should this docket be closed?

Recommendation: No. This docket should remain open pending the final
disposition of the transfer application.

APPROVED