

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 28, 2000

RE: DOCKET NO. 991056-SU - Application for transfer of Certificate No. 456-S from Del Vera Limited Partnership to Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities in Lee County.

Issue 1: Should Del Vera Limited Partnership be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of Section 367.071(1), Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

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Issue 2: Should Coolidge-Ft. Myers Realty Limited Partnership be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of Sections 367.121(2) and 367.156(1), Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated. However, Coolidge-Ft. Myers Realty Limited Partnership should be put on notice that any further violations of Sections 367.121(2) or 367.156(1), Florida Statutes, may result in a show cause proceeding being initiated.

**APPROVED**

Issue 3: Should the transfer of Certificate No. 456-S from Del Vera Limited Partnership to Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities be approved?

Recommendation: Yes, the transfer should be approved. A description of the territory being transferred is appended to staff's March 16, 2000 memorandum as Attachment A.

**APPROVED**

Issue 4: What is the rate base of Del Vera Limited Partnership at the time of transfer?

Recommendation: The rate base is \$640,512 as of December 31, 1996.

**APPROVED**

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Issue 5: Should a positive acquisition adjustment be approved?

Recommendation: No.

**APPROVED**

Issue 6: Should the rates and charges approved for Del Vera Limited Partnership be continued?

Recommendation: Yes. The rates and charges approved for the utility should be continued except that a previously approved treated effluent rate of \$.05 per 1,000 gallons should be made effective. The tariff reflecting the transfer should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets.

**APPROVED**

Issue 7: Should this docket be closed?

Recommendation: Yes. If no timely protest is received to the proposed agency action issues, the order should become final and effective upon the issuance of a Consummating Order and the docket should be closed.

**APPROVED**