

VOTE SHEET

March 13, 2007

Docket No. 060694-WS – Application for certificates to provide water and wastewater service in Flagler and Volusia Counties by D & E Water Resources, L.L.C.

**Issue 1:** Should the D & E Water Resources, L.L.C.'s application for water and wastewater certificates be granted?

**Recommendation:** Yes. D & E Water Resources, L.L.C. should be granted Certificate Nos. 635-W and 545-S to serve the territory described in Attachment A of staff's March 1, 2007, memorandum, effective the date of the Commission's vote. The resultant order should serve as D & E's water and wastewater certificates and it should be retained by the utility. The utility should file an executed and recorded copy of the leases for the land for the water and wastewater facilities within 30 days of the issuance date of the Order granting the certificate.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Katrina J. McMurrian*  
*Jim E. J.*  
*Blair E. J.*

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REMARKS/DISSENTING COMMENTS:

Vote Sheet

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(Continued from previous page)

**Issue 2:** What are the appropriate initial water rates and return on investment for this utility?

**Recommendation:** The staff recommended water and wastewater rates and miscellaneous service charges, shown on Schedule No. 4 of staff's March 1, 2007, memorandum, should be approved. D & E should charge the approved rates and charges until authorized to change them by this Commission in a subsequent proceeding. The rates should be effective for services rendered or connections made on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code. A return on equity of 11.54% with a range of plus or minus 100 basis points should be approved.

**APPROVED**

**Issue 3:** What are the appropriate service availability charges for D & E Water Resources, L.L.C.?

**Recommendation:** The service availability policy and charges set forth within the analysis portion of staff's March 1, 2007, memorandum are appropriate and should be approved effective for connections made on or after the stamped approval date on the tariff sheets.

**APPROVED**

**Issue 4:** Should this docket be closed?

**Recommendation:** No. If no protest to the proposed agency action issues is filed by a substantially affected person within 21 days of the date of the order, a consummating order should be issued and the docket should be closed administratively upon receipt of the executed and recorded copy of the long-term lease.

**APPROVED**