

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 30, 1998

RE: DOCKET NO. 970657-WS - Application for certificates to operate a water and wastewater utility in Charlotte and DeSoto Counties by Lake Suzy Utilities, Inc.

Issue 1: Should the Commission grant FWSC's Objection to Application(s) for Territory Amendment & Original Certificates by Lake Suzy Utilities, Inc. and Petition for Leave to Intervene?

Recommendation: The Commission should dismiss FWSC's objection as untimely and deny its request for a hearing. However, the Commission should grant FWSC's Petition for Leave to Intervene. FWSC takes the case as it finds it.

**DEFERRED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS: Commissioner Garcia participated by *video* telephone. He concurred \_\_\_/dissented \_\_\_ in the majority vote and will sign the vote sheet upon his return to Tallahassee.

*teleconference.*

*Deferred to July 21, 1998*

VOTE SHEET

JUNE 30, 1998

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(Continued from previous page)

Issue 2: Should Florida Water Services Corporation's Motion to Consolidate be granted?

Recommendation: No. Florida Water Services Corporation's Motion to Consolidate should be denied.

Issue 3: Should Florida Water Services Corporation's Motion in Limine and Motion for Cease and Desist Order be granted?

Recommendation: No. The Commission should decline to rule on Florida Water Services Corporation's Motion in Limine until such time as the evidence is proffered by Lake Suzy Utilities, Inc. In addition, Florida Water Services Corporation's Motion for Cease and Desist Order should be denied.

Issue 4: Should the Commission order Lake Suzy Utilities, Inc. to show cause, in writing within twenty days, why it should not be fined for violation of Section 367.031, Florida Statutes?

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

VOTE SHEET

JUNE 30, 1998

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(Continued from previous page)

Issue 5: Should the Commission acknowledge the withdrawal of the objections by Charlotte County and DeSoto County and grant the application of Lake Suzy Utilities, Inc. for water and wastewater certificates?

Recommendation: Yes. The Commission should acknowledge the withdrawal of the objections by Charlotte County and DeSoto County in this docket. Further, Lake Suzy Utilities, Inc. should be granted Water Certificate No. 599-W and Wastewater Certificate No. 514-S to serve the territory described in Attachment A of staff's memorandum dated June 18, 1988.

Issue 6: Should Lake Suzy be required to pay regulatory assessment fees and file an annual report for 1997 with the Commission?

Recommendation: Yes. Lake Suzy should be required to remit regulatory assessment fees for water and wastewater service and file an annual report for 1997, for the period of August 26, 1997 through December 31, 1997, within 45 days of the Commission's order.

Issue 7: What rates and charges should be approved for this utility?

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

VOTE SHEET

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(Continued from previous page)

Issue 8: Should Lake Suzy Utilities, Inc.'s water and wastewater rates be subject to a rate reduction pursuant to Section 367.0816, Florida Statutes?

Recommendation: Yes, pursuant to Section 367.0816, Florida Statutes, Lake Suzy Utilities, Inc.'s water and wastewater rates should be reduced immediately following expiration of the four-year recovery period. Revenues should be reduced by a total of \$262 for water and \$131 for wastewater to reflect the removal of rate case expense grossed up for regulatory assessment fees, which are being amortized over a four-year period. The effect of the revenue reduction results in rate decreases shown on Schedule Nos. 4 and 4-A in staff's memorandum. The decrease in rates should become effective immediately following expiration of the recovery period, pursuant to Section 367.0816, Florida Statutes. The utility should be required to file revised tariffs and a proposed customer notice setting forth the lower rates and the reason for the reduction no later than one month prior to the actual date of the required rate reduction.

Issue 9: Should this docket be closed?

Recommendation: Yes. This docket should be closed.