

VOTE SHEET

SEPTEMBER 1, 1998

RE: DOCKET NO. 970381-SU - Application for transfer of Certificate No. 495-S from Sandalhaven Utility, Inc. to CHP Utility, Inc. in Charlotte County, cancellation of Certificate No. 495-S, and exemption from Florida Public Service Commission regulation.

Issue 1: Should the Motion to Rescind Order No. PSC-97-1150-FOF-SU be granted?

Recommendation: Yes. The Motion to Rescind should be granted, and Order No. PSC-97-1150-FOF-SU should be vacated. Within 45 days of issuance of the order, CHP should provide proof that all facilities and assets of Sandalhaven which had been transferred to CHP pursuant to Order No. PSC-97-1150-FOF-SU have been conveyed back to Sandalhaven. Upon receipt of such information, Certificate No. 495-S should be reinstated.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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Susan Clark

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09707 SEP-4 88

FILE RECORDS/REPORTING

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DOCKET NO. 970381-SU - Application for transfer of Certificate No. 495-S from Sandalhaven Utility, Inc. to CHP Utility, Inc. in Charlotte County, cancellation of Certificate No. 495-S, and exemption from Florida Public Service Commission regulation.

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Issue 2: Should the Motion for Reconsideration and in the Alternative to Conduct an Administrative Hearing Pursuant to Chapter 120.57, Florida Statutes, filed by Fiddler's Green Condominium Association I, et al., be deemed withdrawn?

Recommendation: Yes. If the Commission votes in favor of staff's recommendation in Issue 1, the Motion for Reconsideration and in the Alternative to Conduct an Administrative Hearing Pursuant to Chapter 120.57, Florida Statutes, filed by Fiddler's Green Condominium Association I, et al., should be deemed withdrawn.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issues 1 and 2, nothing will remain to be done in this docket. The docket should therefore be closed administratively upon proof that all facilities and assets of Sandalhaven which had been transferred to CHP pursuant to Order No. PSC-97-1150-FOF-SU have been conveyed back to Sandalhaven, and the reinstatement of Certificate No. 495-S.

APPROVED