

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 17, 1998

RE: DOCKET NO. 980943-WS - Disposition of contributions-in-aid-of-construction (CIAC) gross-up funds collected by Gulf Utility Company in Lee County.

Issue 1: Should Gulf Utility Company be required to refund excess gross-up collections for 1992-1996?

Recommendation: Yes. The utility should refund \$5,724 for 1992, \$11,643 for 1993, and \$23,102 for 1994, for a total of \$40,469 for excess gross-up collections, plus accrued interest through the date of refund. For 1995 and 1996, the utility does not owe any refunds.

According to Orders Nos. 16971 and 23541, all amounts should be refunded on a pro rata basis to those persons who contributed the taxes. The refunds should be completed within six months of the effective date of the order. Within 30 days from the date of the refund, the utility should submit copies of canceled checks, credits applied to monthly bills or other evidence that verifies that the utility has made the refunds. Within 30 days from the date of the refund, the utility also should provide a list of unclaimed refunds detailing the contributor and amount, and an explanation of the efforts made to make the refunds.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including names like Susan Clark, Terry Heaso, and Joe Garcia.

Empty lines for dissenting signatures and a vertical stamp area.

DOCUMENT NUMBER - DATE

12962 NOV 18 98

FPSC-RECORDS/REPORTING

REMARKS/DISSENTING COMMENTS:

Commissioner Garcia participated in the Agenda Conference via video teleconference and ~~dissented~~ in the vote. He will sign the vote sheet upon his return to Tallahassee.

agreed

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Issue 2: Should this docket be closed?

Recommendation: No. Upon expiration of the protest period, this docket should remain open pending staff's verification of refunds. Staff should be given administrative authority to close the docket upon verification that the refunds have been completed, and there are no unclaimed refunds.

APPROVED