

VOTE SHEET

JULY 15, 1997

RE: DOCKET NO. 970695-WS - Request for a Section 120.57(1), F.S., hearing by Aloha Utilities, Inc. in Pasco County.

Issue 1: Should the Commission grant either Aloha's request for hearing under Section 120.57(1), Florida Statutes, or its alternative request that the Commission consider the appropriate amount of additional fees?

Recommendation: As there is no dispute of material fact, the request for a Section 120.57(1) hearing should be denied. However, the Commission should determine, on the facts presented, whether Aloha was entitled to a 30-day extension for paying its regulatory assessment fees.

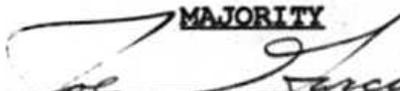
APPROVED

COMMISSIONERS ASSIGNED: Full Commission

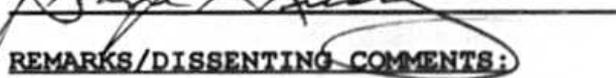
COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING







REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07117 JUL 16 97

FPCO-RECORDS/REPORTING

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(Continued from previous page)

Issue 2: What is the appropriate amount of additional fees that should be remitted by Aloha for its payment of regulatory assessment fees on April 14, 1997?

Recommendation: Pursuant to Sections 367.145 and 350.113(4), Florida Statutes, and Rules 25-30.120(6) and (7), Florida Administrative Code, Aloha should be required to pay a penalty equal to 5 percent of the original fee plus 1 percent of interest. This equates to \$12,682.86.

MODIFIED

*Aloha must pay .75 percent,
or \$1585.36*

Issue 3: Should this docket be closed?

Recommendation: After the time for appeal has passed, this docket should be closed.

APPROVED