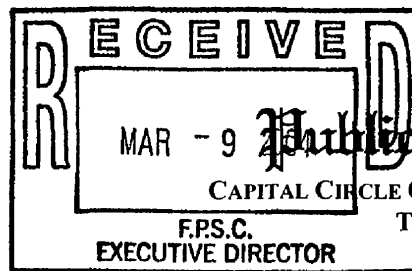


State of Florida



ORIGINAL

Public Service Commission

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-M-E-M-O-R-A-N-D-U-M- COMMISSION
CLERK

DATE: March 9, 2004
TO: Mary Andrews Bane, Executive Director
FROM: Timothy J. Devlin, Director, Division of Economic Regulation *(TJD)*
RE: Change to Staff Recommendation on Item 14 of the March 16, 2004, Agenda Conference - Docket No. 020408-SU, Application for rate increase in Seminole County by Alafaya Utilities, Inc.

Staff is requesting approval to make two corrections to Issue 26 (Should this docket be closed?), on page 57 of the above mentioned recommendation. First, to be consistent with staff's recommendation in Issue 22 that no interim refund is necessary, the reference to a refund in Issue 26 should be deleted. Second, the security to be released in this docket is a corporate undertaking not an escrow account. The type and strike corrections are as follows:

Recommendation: No. If no person whose substantial interests are affected by the proposed agency action files a protest within twenty-one days of the issuance of the order, a consummating order will be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the utility and approved by staff, ~~and the refund has been completed and verified by staff.~~ Once these actions are complete, this docket may be closed administratively, and the corporate undertaking should ~~escrow account may~~ be released. (Fletcher, Vining)

Staff Analysis: If no person whose substantial interests are affected by the proposed agency action files a protest within twenty-one days of the issuance of the order, a consummating order will be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the utility and approved by staff, ~~and the refund has been completed and verified by staff.~~ Once these actions are complete, this docket may be closed administratively, and the corporate undertaking should ~~escrow account may~~ be released.

These changes do not substantially affect the issue or recommendation statements and therefore, an oral modification at agenda conference should not be necessary.

cc: Jorge Chamizo
JoAnn Chase
Katrina Tew
Larry Harris
Cayce Hinton
Rick Melson
Chuck Hill
Blanca Bayó
Mary Anne Helton

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Approved
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