

VOTE SHEET

FEBRUARY 6, 2001

RE: DOCKET NO. 001145-WU - Application for transfer of majority organizational control of San Sebastian Utilities, Inc., holder of Certificate No. 439-W in Brevard County, and name change on certificate, to San Sebastian Water, LLC.

Issue 1: Should San Sebastian Utilities, Inc. be ordered to show cause, in writing, within 21 days, why he should not be fined for apparent violation of Section 367.071(1), Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Michael A. Palko

[Signature]

[Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
01779 FEB-7 01
FPSC-RECORDS/REPORTING

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(Continued from previous page)

Issue 2: Should the transfer of majority organizational control of San Sebastian Utilities, Inc., from C.E. Buchanan through Howbert, L.C., to San Sebastian Water, LLC, be approved?

Recommendation: Yes. The transfer of majority organizational control should be approved. San Sebastian Utilities, Inc. should be responsible for filing an annual report for the utility and remitting the resulting regulatory assessment fees to the Commission for the year 2000 within the time frame and manner prescribed by Commission rules. San Sebastian Water, LLC, should be responsible for subsequent annual reports and regulatory assessment fees. A recorded warranty deed, long-term lease, or other evidence of the utility's continued use of the land upon which the utility facilities reside, in the name of San Sebastian Water, LLC, should be filed with the Commission within 45 days from the date the stock is transferred.

APPROVED

Issue 3: Should the request for name change on Certificate No. 439-W from San Sebastian Utilities, Inc., to San Sebastian Water, LLC, be approved?

Recommendation: Yes. If the Commission votes in Issue 2 to approve the transfer of majority organizational control, then the request for name change on Certificate No. 439-W from San Sebastian Utilities, Inc., to San Sebastian Water, LLC, should be approved.

APPROVED

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(Continued from previous page)

Issue 4: Should the rates and charges approved for San Sebastian Utilities, Inc., be continued?

Recommendation: Yes. The rates and charges approved for the utility should be continued. The tariff reflecting the transfer of majority organizational control and the change in name should be approved and effective for services rendered or connections made on or after the stamped approval date.

APPROVED

Issue 5: Should this docket be closed?

Recommendation: No. The docket should remain open pending the filing of a recorded warranty deed, long-term lease, or other evidence of the utility's continued use of the land upon which the utility facilities reside, in the name of San Sebastian Water, LLC.

APPROVED