

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 6, 2001

RE: Docket No. 001381-WU - Application for certificate to operate water utility in Polk County by Tevalo, Inc., d/b/a McLeod Gardens Water Company.

ISSUE 1: Should the Commission order the utility to show cause, in writing within 21 days, why it should not be fined for operating a water utility without a certificate of authorization in apparent violation of Chapter 367.031, Florida Statutes?

RECOMMENDATION: No. Show cause proceedings should not be initiated.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Michael A. Palumbo

Mark J. ...

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

14055 NOV-6 01

FPSC-COMMISSION CLERK

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ISSUE 2: Should MGWC be ordered to show cause, in writing within 21 days, why it should not be fined for failure to file its 1997, 1998, and 1999 annual reports in apparent violation of Rule 25-30.110, Florida Administrative Code?

RECOMMENDATION: No. Show cause proceedings should not be initiated at this time. Staff further recommends that the penalties set forth in Rule 25-30.110(7), Florida Administrative Code, should not be assessed, as the information contained in the delinquent reports is no longer needed for the ongoing regulation of the utility. MGWC should not be required to file 1997, 1998 or 1999 annual reports.

APPROVED

ISSUE 3: Should the application of Tevalo, Inc., d/b/a McLeod Gardens Water Company for a water certificate be granted?

RECOMMENDATION: Yes. Tevalo, Inc., d/b/a McLeod Gardens Water Company should be granted Water Certificate No. 619-W to serve the territory described in Attachment A of staff's October 25, 2001 memorandum.

APPROVED

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ISSUE 4: What rates and charges should be approved for Tevalo, Inc. d/b/a McLeod Gardens Water Company?

RECOMMENDATION: The utility's existing flat rates and tap-in fees for water service for the housing development should be approved as submitted until the completion of the utility's first rate proceeding. The utility should be put on notice that, at the time of its next rate proceeding, all meters will be required to be installed and in compliance with Part III, Rule 25-30, Florida Administrative Code, and that appropriate base facility charges and usage rates will be established by the Commission. The utility should be allowed to continue to charge the current late payment fee. The utility should also be allowed to charge the standard miscellaneous charges specified in the analysis portion of staff's memorandum. Customer deposits should not be authorized at this time. The effective date of the utility's rates and charges should be the stamped approval date of the tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code.

APPROVED

ISSUE 5: Should this docket be closed?

RECOMMENDATION: No. If no timely protest is received to the proposed agency action issue, a Consummating Order should be issued upon the expiration of the protest period. Should no timely protests be received, the docket should be closed.

APPROVED