

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 4, 2003

RE: Docket No. 020413-SU - Initiation of show cause proceedings against Aloha Utilities, Inc. in Pasco County for failure to charge approved service availability charges, in violation of Order No. PSC-01-0326-FOF-SU and Section 367.091, Florida Statutes.

ISSUE 1: Should Aloha's Request for Oral Argument on its Motion to Strike or, in the Alternative, Response in Opposition to Adam Smith's Motion for Reconsideration be granted?

RECOMMENDATION: Yes. The Request for Oral Argument should be granted. Parties should be allotted ten minutes each to address the Commission.

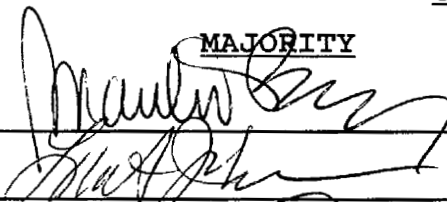
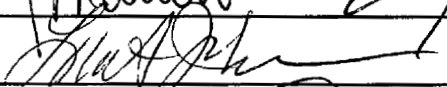
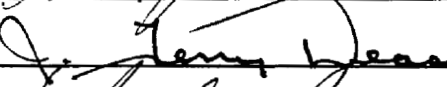
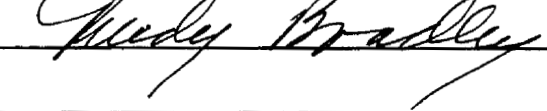
**APPROVED**

COMMISSIONERS ASSIGNED: Jaber, Deason, Baez, Bradley

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COM ASSIGN CLERK

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(Continued from previous page)

ISSUE 2: Should Adam Smith's Motion for Reconsideration of Order No. PSC-02-1774-FOF-SU Granting Aloha's Motion for Emergency Relief be granted?

RECOMMENDATION: No. Adam Smith's Motion for Reconsideration should be denied. Nevertheless, Aloha should be required to provide notice to all potentially affected developers that by Order No. PSC-02-1774-FOF-SU, the Commission allowed Aloha to immediately backbill developers who connected to its system from May 23, 2001, until April 16, 2002 and to hold those monies subject to refund with interest, pending the conclusion of this proceeding. Moreover, Aloha's Motion to Strike Adam Smith's Motion for Reconsideration should be denied.

**APPROVED**

ISSUE 3: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open pending final resolution of the protests filed to the PAA portions of Order No. PSC-02-1250-SC-SU.

**APPROVED**