

VOTE SHEET

AUGUST 19, 2003

RE: Docket No. 030236-WS - Application for transfer of facilities and Certificate Nos. 466-W and 400-S from Pennbrooke Utilities, Inc. to Utilities, Inc. of Pennbrooke, in Lake County.

ISSUE 1: Should the transfer of the facilities and Certificate Nos. 466-W and 400-S from PUI to UIP be approved?

RECOMMENDATION: Yes. The transfer of the facilities and Certificate Nos. 466-W and 400-S from PUI to UIP is in the public interest and should be approved. PUI will be responsible for remitting the 2003 regulatory assessment fees (RAFs) associated with revenues collected up to and including the date of the closing. UIP will be responsible for filing an annual report from the date after the closing and forward, and the payment of all regulatory assessment fees associated with revenues collected after the closing. Pursuant to Rule 25-30.037(2)(q), Florida Administrative Code, a warranty deed or evidence that the utility owns or has continued use of the land upon which its facilities are located should be submitted within 60 days of the date of the order issued as a result of the action taken at this agenda conference. A description of the territory being transferred is appended to staff's August 7, 2003 memorandum as Attachment A.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

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REMARKS/DISSENTING COMMENTS:

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DOCUMENT NUMBER-DATE

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ISSUE 2: What is the rate base of PUI at the time of transfer?

RECOMMENDATION: The rate bases, which for transfer purposes reflect the net book value, are \$413,713 for the water system and \$846,850 for the wastewater system as of April 30, 2003.

**APPROVED**

ISSUE 3: Should an acquisition adjustment be included in the calculation of rate base?

RECOMMENDATION: No. Pursuant to Rule 25-30.0371(2), Florida Administrative Code, in the absence of extraordinary circumstances an acquisition adjustment should not be included in rate base.

**APPROVED**

ISSUE 4: Should the rates and charges approved for this utility be continued?

RECOMMENDATION: Yes. UIP should continue charging the rates and charges approved for this utility system until authorized to change by the Commission in a subsequent proceeding. The tariff reflecting the change in ownership should be effective for services provided or connections made on or after the stamped approval date on the tariff sheets.

**APPROVED**

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ISSUE 5: Should the Commission approve the wastewater tariff reflecting the reclaimed water class of service for the Pennbrooke Fairways Golf Course?

RECOMMENDATION: Yes. The utility has filed a wastewater tariff reflecting the reclaimed water class of service at a zero rate for the Pennbrooke Fairways Golf Course, landscape areas and other common areas within the Pennbrooke Fairways Community and roadway medians, where practical. The tariff should be effective for services rendered on or after the stamped approval date of the tariff. The utility should return to the Commission for a determination regarding rates for reclaimed water service prior to providing that service to any other customers.

**APPROVED**

ISSUE 6: Should this docket be closed?

RECOMMENDATION: No. Upon expiration of the protest period, this docket should remain open pending receipt of evidence that the utility owns or has continued use of the land upon which its facilities are located. Once the recorded deed has been filed and staff verifies that it satisfies the requirements of Rule 25-30.037(3)(i), Florida Administrative Code, this docket should be closed administratively.

**APPROVED**