

VOTE SHEET

DECEMBER 2, 2003

RE: Docket No. 030542-WS - Application for acknowledgement of transfer of Nassau County land and facilities to Nassau County and for cancellation of Certificate Nos. 171-W and 122-S, by Florida Water Services Corporation. Docket No. 990817-WS - Application by Florida Water Services Corporation for amendment of Certificate Nos. 171-W and 122-S to add territory in Nassau County. (Deferred from October 21, 2003 conference; revised recommendation filed.)

ISSUE 1: Should the Request for Oral Argument by the American Beach Property Owners' Association, Inc. (ABPOA), be granted?

RECOMMENDATION: Yes. The Request for Oral Argument should be granted if the Commission finds that oral argument will aid it in comprehending and evaluating the issues before it. If granted, oral argument should be limited to five minutes for each party to address reconsideration of the order denying ABPOA intervention.

**APPROVED**

*with understanding the Chairman has discretion to allow more than five minutes for oral argument.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

12242 DEC-28

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ISSUE 2: Should the American Beach Property Owners' Association, Inc.'s Motion for Reconsideration of the Prehearing Officer's Order No. PSC-03-0948-PCO-WS be granted?

RECOMMENDATION: No. The Motion for Reconsideration should be denied.

**APPROVED**

ISSUE 3: Should the Commission acknowledge Florida Water Services Corporation's withdrawal of its amendment application?

RECOMMENDATION: Yes. The Commission should acknowledge Florida Water Services Corporation's withdrawal of its amendment application in Docket No. 990817-WS.

**APPROVED**

ISSUE 4: Should the transfer of Florida Water Services Corporation's Nassau County water and wastewater facilities to the County of Nassau be approved?

RECOMMENDATION: Yes. The transfer to Nassau County should be approved, as a matter of right, pursuant to Section 367.071(4)(a), Florida Statutes, effective March 31, 2003. Regulatory Assessment Fees (RAFs) for January 1 through March 31, 2003, should be submitted within 20 days after the issuance of the order approving the transfer. Certificate Nos. 171-W and 122-S should be cancelled administratively at the conclusion of all pending cases for the Nassau County facilities.

**MODIFIED**

*The transfer is acknowledged rather than approved.*

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ISSUE 5: Should the Commission open a docket to examine whether FWSC's sale of its Nassau County facilities involves a gain that should be shared with FWSC's remaining customers?

RECOMMENDATION: Yes. The Commission should open a docket to examine whether FWSC's sale of its Nassau County facilities involves a gain that should be shared with FWSC's remaining customers.

**APPROVED**

ISSUE 6: Should these ~~this~~ dockets be closed?

RECOMMENDATION: If the Commission approves Issue 3 of this recommendation, then Docket No. 990817-WS should be closed. Docket No. 030542-WS ~~This docket~~ should remain open until the conclusion of any pending dockets concerning the Nassau County facilities, and until Certificate Nos. 171-W and 122-S are cancelled administratively.

**APPROVED**