

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 21, 2004

RE: Docket No. 981079-SU - Application for amendment of Certificate No. 104-S to extend service territory in Pasco County by Hudson Utilities, Inc., and request for limited proceeding. (Deferred from September 7, 2004 conference.)

Issue 1: Should OPC's Motion to Initiate a Show Cause Proceeding Against Hudson Utilities, Inc., for failure to serve the Sea Pines area within a reasonable time be granted?

Recommendation: Yes. The Motion should be granted. Hudson should be required to show cause, in writing within 21 days, as to why it should not be fined in the amount of \$1,500 for failure to serve the Sea Pines area within a reasonable time, in apparent violation of Section 367.111(1), Florida Statutes. The order to show cause should incorporate the conditions stated in the analysis portion of staff's August 26, 2004 memorandum. Moreover, Hudson should be required to file monthly progress reports, starting 30 days from the issuance date of the Order arising from this recommendation, to update the Commission on the status of the construction to Sea Pines, and to include: the status of the construction bids and whether a contractor has been employed to begin construction; the estimated construction costs; the estimated dates to begin and to complete construction; the estimated timeline under which construction activities will occur; whether the final right-of-way permit has been approved; whether funding of the construction has been approved by Hudson's lenders; and the status of Hudson's ongoing negotiations with the County for the transfer of the Sea Pines area to the County.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Five horizontal lines for majority signatures.

Five horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10178 SEP 21 04

FPSC-COMMISSION CLERK

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Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open in order to monitor Hudson's progress in providing service to the Sea Pines area and for final disposition of the show cause order.