

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 21, 2004

- RE: Docket No. 980744-WS - Investigation into ratemaking considerations of gain on sale from sale of facilities of Florida Water Services Corporation to Orange County.
- Docket No. 031060-WS - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to Martin County in Martin County.
- Docket No. 031061-WS - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to Marion County in Marion and Sumter Counties.
- Docket No. 031062-WS - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to Florida Governmental Utility Authority in Lee County.
- Docket No. 031063-WU - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to Osceola County in Osceola County.
- Docket No. 031064-WU - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to Clay County Utility Authority in Clay and Bradford Counties.
- Docket No. 031065-WS - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to City of Deltona in Volusia County.
- Docket No. 040023-WS - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to Charlotte County in Charlotte County.
- Docket No. 040024-WS - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to Nassau County in Nassau County.
- Docket No. 040025-WU - Investigation into ratemaking consideration of gain on sale of facilities of Florida Water Services Corporation to JEA in Duval and St. Johns Counties.

Issue 1: What is the proper disposition of Docket Nos. 031060-WS, 031061-WS, 031062-WS, 031063-WU, 031064-WU, 031065-WS, 040023-WS, 040024-WS, and 040025-WU?

Recommendation: All of the above sales of assets resulted in a loss of customers and the associated future

**COMMISSIONERS ASSIGNED: All Commissioners**

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10191 SEP 21 04

FPSC-COMMISSION CLERK

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revenue streams. Accordingly, by operation of Section 367.0813, Florida Statutes, any gain or loss at issue in the dockets shall be borne by the shareholders. No further action is required in these dockets by the Commission, and they should be closed.

**APPROVED**

Issue 2: Should Docket 980744-WS be closed?

Recommendation: Yes, the hearing currently scheduled in Docket 980744-WS should be cancelled, and Docket 980744-WS should be closed. The disposition of the loss on the sale of the laboratory is no longer at issue, and the sales of assets in Orange and Citrus Counties resulted in losses of customers and the associated revenue streams. Accordingly, by operation of Section 367.0813, Florida Statutes, gains resulting in a loss of customers shall be borne by the shareholders.

**APPROVED**