

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 19, 2004

RE: Docket No. 040515-WU - Application for certificate to operate water utility in Orange and Lake Counties by Oak Springs, LLC.

Issue 1: Should Oak Springs, LLC's application for a water certificate be granted?

Recommendation: Yes, Oak Springs, LLC should be granted Certificate No. 623-W to serve the territory described in Attachment A of staff's October 7, 2004 memorandum.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Chuck M. Dard

Mautubz

Tom Deason

Rudolph

REMARKS/DISSENTING COMMENTS:

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(Continued from previous page)

Issue 2: What are the appropriate initial water rates and return on investment for this utility?

Recommendation: The utility's proposed water rates and miscellaneous service charges described in the analysis portion of staff's memorandum should be approved. Oak Springs should charge the approved rates and charges until authorized to change them by this Commission in a subsequent proceeding. The utility should be required to notice all customers of the approved rates prior to billing for monthly water service. The utility should also be required to file a proposed customer notice reflecting the Commission-approved rates within ten days of the date of the consummating order. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), Florida Administrative Code. A return on equity of 11.40% plus or minus 100 basis points should be approved.

APPROVED

Issue 3: What are the appropriate service availability charges for Oak Springs, LLC?

Recommendation: The utility's proposed service availability policy and charges set forth within the staff analysis are appropriate and should be approved effective for connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475(2), Florida Administrative Code.

APPROVED

Issue 4: Should this docket be closed?

Recommendation: Yes. If no timely protest is filed by a substantially affected person to proposed agency action Issues 2 and 3, a consummating order should be issued upon expiration of the protest period and the docket should be closed.

APPROVED