

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 1, 2005

RE: Docket No. 040152-WS - Application for transfer of majority organizational control of FIMC Hideaway, Inc. in Levy County from Florida Investors Mortgage Corporation, a Florida corporation, to Robert and Janet McBride.

Issue 1: Should Florida Investors Mortgage Corporation be ordered to show cause in writing, within 21 days, why it should not be fined for its failure to comply with the requirements of Section 367.071(1), Florida Statutes, and for its failure to file its 2003 annual report by March 31, 2004, as required by Rule 25-30.110, Florida Administrative Code?

Recommendation: No. Florida Investors Mortgage Corporation should not be ordered to show cause. Further, staff recommends that the penalties calculated according to Rule 25-30.110(7), Florida Administrative Code, for delinquent annual reports should not be assessed.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
02104 MAR-1 05
FPSC-COMMISSION CLERK

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Issue 2: Should the transfer of majority organizational control of FIMC Hideaway, Inc. from Florida Investors Mortgage Corporation to Robert and Janet McBride be approved?

Recommendation: Yes. The transfer is in the public interest and should be approved effective the date of the Commission's vote. The territory being transferred is described in Attachment A of staff's February 17, 2005 memorandum. Robert and Janet McBride should be responsible for filing the utility's 2004 annual report and paying 2004 regulatory assessment fees on or before March 31, 2005.

APPROVED

Issue 3: What is the rate base for FIMC Hideaway, Inc.'s water and wastewater systems at the time of the transfer?

Recommendation: For transfer purposes, rate base should be \$42,693 for the water system and \$30,020 for the wastewater system as of December 31, 2003. Within 30 days from the date of the order approving the transfer, FIMC Hideaway, Inc. should be required to provide a statement that the utility's books have been adjusted to reflect the Commission-approved rate base adjustments and balances.

APPROVED

Issue 4: Should the utility's existing rates and charges be continued?

Recommendation: Yes. The existing rates and charges for the utility should be continued until authorized to change by the Commission in a subsequent proceeding. The tariff sheets reflecting the existing rates and charges should be effective for services rendered or connections made on or after the stamped approval date.

APPROVED

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Issue 5: Should the utility be required to refund overcharged service availability charges?

Recommendation: Yes. Pursuant to Rule 25-30.360, Florida Administrative Code, the utility should make a credit on each overcharged customer's bill in the next billing cycle after the Commission's final order is issued in this docket for the amount of the overcharge, plus interest. The utility should provide a report of the completion of the refunds within 90 days from the date of the Commission's final order.

APPROVED

Issue 6: Should this docket be closed?

Recommendation: No. If no timely protest is received to the proposed agency action issues on rate base and refunds, the Order will become final upon the issuance of a Consummating Order. However, the docket should remain open pending receipt of the utility's statement that the utility's books have been adjusted to reflect the Commission-approved rate base adjustments and balances and a report of the completion of refunds. Upon receipt of the statement and report, the docket should be administratively closed.

APPROVED