

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 1, 2005

RE: Docket No. 041391-WS - Request for cancellation of Certificate Nos. 294-S and 338-W by Burkim Enterprises, Inc., due to condemnation of land and facilities by Barefoot Bay Water and Sewer District in Brevard County.

Issue 1: Should the Commission approve the transfer of Burkim Enterprises, Inc.'s land and facilities to the Barefoot Bay Water and Sewer District?

Recommendation: Yes. The transfer of Burkim Enterprises, Inc.'s land and facilities to the Barefoot Bay Water and Sewer District should be approved, as a matter of right, pursuant to Section 367.071(4)(a), Florida Statutes, effective November 29, 2004. Certificate Nos. 338-W and 294-S should be cancelled.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02105 MAR-1 05

FPSC-COMMISSION CLERK

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Issue 2: Should this docket be closed?

Recommendation: Yes. No further action is required and the docket should be closed.

APPROVED