

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MAY 31, 2005

RE: Docket No. 050062-WS - Joint application for transfer of Mink Associates II, LLC d/b/a Timberwood Utilities, holder of Certificate Nos. 524-W and 459-S, to Silver Fox Utility Company LLC d/b/a Timberwood Utilities, in Pasco County.

Issue 1: Should the transfer of facilities and Certificate Nos. 524-W and 459-S, from Mink Associates II, LLC d/b/a Timberwood Utilities to Silver Fox Utility Company LLC d/b/a Timberwood Utilities be approved?

Recommendation: Yes. The transfer of facilities and Certificates Nos. 524-W and 459-S from Mink Associates II, LLC d/b/a Timberwood Utilities to Silver Fox Utility Company LLC d/b/a Timberwood Utilities is in the public interest and should be approved effective the date of the Commission's vote. The utility should file an executed copy of the lease assignment for the land within 30 days of the issuance date of the Order approving the transfer. In addition, Silver Fox Utility should be required to provide a statement within 30 days of the order approving the transfer that it has established its books and records in compliance with the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA), including separate general ledgers for the water and wastewater systems. Silver Fox Utility should be responsible for the annual reports and regulatory assessment fees (RAFs) for 2005 and the future. A description of the territory being transferred is appended as Attachment A to staff's May 19, 2005 memorandum.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Liz Edge
Rudy Bradley
Matt
Jerry
M. [unclear]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should the rates and charges approved for this utility be continued?

Recommendation: Yes. Silver Fox Utility Company LLC d/b/a Timberwood Utilities should continue charging the rates and charges approved for this utility system until authorized to change by the Commission in a subsequent proceeding. The tariff reflecting the change in ownership should be effective for services provided or connections made on or after the stamped approval date on the tariff sheets.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. The docket should remain open pending receipt of the executed assignment of the lease agreement and a statement that the buyer has established its books and records in accordance with the RUC USOA. Upon receipt of the statement and the executed lease assignment, the docket should be administratively closed.

APPROVED