

VOTE SHEET

March 4, 2008

Docket No. 080064-WU – Complaint against East Marion Sanitary Systems Inc. by Mabelle Gregorio, Angela and Dennis Fountain, and Terry Will.

Issue 1: What disposition should be taken to resolve the complaint of Ms. Mabelle Gregorio against East Marion Sanitary Systems, Inc.?

Recommendation: East Marion should refund \$824.00 to Ms. Gregorio and provide a statement to the Commission that the refund was made within 30 days of the Commission’s order becoming final.

MODIFIED, *approved with the addition of the calculation of interest.*

Issue 2: What disposition should be taken to resolve the complaint of Angela and Dennis Fountain against East Marion Sanitary Systems, Inc.?

Recommendation: East Marion should refund \$527.00 to Angela and Dennis Fountain and provide a statement to the Commission that the refund was made within 30 days of the Commission’s order becoming final.

MODIFIED, *approved with the addition of the calculation of interest.*

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Neil A. De...
Katrina J. McMurrin
...
Jeri Edger
...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01640 MAR-4 8

FPSC-COMMISSION CLERK

(Continued from previous page)

Issue 3: What disposition should be taken to resolve the complaint of Terry Will against East Marion Sanitary Systems, Inc.?

Recommendation: East Marion should refund \$45.00 to Terry Will for the overcharge on the reconnection charge and provide a statement to the Commission that the refund was made within 30 days of the Commission's order becoming final. Further, staff recommends that the utility be required to provide a statement to the Commission that Mr. Will's bill was credited \$37.00 for the excess customer deposit within 30 days of the Commission's order becoming final.

APPROVED

upon review of the transcript, the minutes of this decision state that the recommendation was modified and approved with the addition of the calculation of interest.

*- ac
3/21/08*

Issue 4: Should East Marion Sanitary Systems, Inc. be ordered to show cause in writing, within 21 days, why it should not be fined for its apparent violation of Section 367.081(1), F.S., and Rules 25-30.135(2) and 25-30.311(7), F.A.C., for charging rates and charges not authorized by the Commission?

Recommendation: Yes. East Marion should be ordered to show cause in writing, within 21 days why it should not be fined a total of \$1,500 for its apparent violation of Section 367.081(1), F.S., and Rules 25-30.135(2) and 25-30.311(7), F.A.C., charging rates and charges not authorized by the Commission. The order to show cause should incorporate the conditions stated in the analysis portion of staff's memorandum dated February 21, 2008. Further, the utility should be required to only charge its approved rates and charges and use the forms in its tariff until authorized to change by this Commission in a subsequent proceeding.

DENIED

Issue 5: Should East Marion Sanitary Systems, Inc. be ordered to show cause in writing, within 21 days, why it should not be fined for its apparent violation of Section 367.156(1), F.S., and Rules 25-22.032(6), 25-30.110, and 25-30.145, F.A.C., concerning customer complaints and audit requests?

Recommendation: Yes. East Marion should be ordered to show cause in writing, within 21 days, why it should not be fined a total of \$500 for its apparent violation of Section 367.156(1), F.S., and Rules 25-22.032(6), 25-30.110, and 25-30.145, F.A.C. The order to show cause should incorporate the conditions stated in the analysis portion of staff's memorandum dated February 21, 2008. In addition, the utility should be ordered to respond to the staff audit requests, as discussed in the staff analysis, within 30 days of the Commission's order becoming final.

DENIED

with an alternative recommendation that the utility is to submit the conditions stated in the analysis portion of staff's recommendation within 30 days. Staff is to monitor this and bring back to the Commission if there are problems.

Vote Sheet

March 4, 2008

Docket No. 080064-WU – Complaint against East Marion Sanitary Systems Inc. by Mabelle Gregorio, Angela and Dennis Fountain, and Terry Will.

(Continued from previous page)

Issue 6: Should this docket be closed?

Recommendation: No. If no person whose substantial interests are affected by the proposed agency action issues files a protest within 21 days of the issuance of the order, a Consummating Order will be issued. However, the docket should remain open for staff's verification that the refunds have been made and the audit information has been filed, and the disposition of the show cause issues. When the PAA issues are final and the show cause issues have been resolved, this docket may be closed administratively.

APPROVED