

VOTE SHEET

December 16, 2008

Docket No. 080497-SU – Application for staff-assistance for alternative rate setting for increase in wastewater rates, in Pasco County, by Silver Fox Utility LLC d/b/a Timberwood Utilities.

Issue 1: Should the Commission approve an alternative rate setting increase for Silver Fox Utility LLC d/b/a Timberwood Utilities?

Recommendation: Yes, the Commission should approve an 11.67 percent revenue increase.

APPROVED

Issue 2: What are the appropriate monthly service rates for the Utility?

Recommendation: The wastewater service rates for Timberwood in effect as of June 15, 2008, should be increased across-the-board by 11.67 percent. On December 31, 2008, the Utility should mail the staff-approved customer notice of the Commission’s PAA decision, in order to ensure that customers have adequate notice in case any customer wishes to file for a hearing, pursuant to Rule 25-22.029, F.A.C. Timberwood should provide proof of the date notice was given no less than 10 days after the date of the notice. The Utility should file revised tariff sheets to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the revised tariff sheets, pursuant to Rule 25-30.475(1), F.A.C.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on lines.

Empty lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11611 DEC 16 8

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Issue 3: Should the recommended rates be approved for the Utility on a temporary basis, subject to refund, in the event of a protest filed by a party other than the Utility?

Recommendation: Yes. Pursuant to Rule 25-30.456(15), F.A.C., in the event of a protest of the Proposed Agency Action (PAA) Order by a substantially affected party, the rates established in the PAA Order may be implemented on a temporary basis. The temporary rates should be held subject to refund. Moreover, if a protest is filed, the Utility may elect to pursue rates set pursuant to the rate base determination provisions of Rule 25-30.455, F.A.C. In addition, the maximum increase of up to 50 percent of revenues provided by Rule 25-30.456(12), F.A.C., shall no longer apply in the event of a protest. Further, pursuant to Rule 25-30.456(18), F.A.C., if the Utility fails to comply with the dates established in the procedural order, or to timely file a request for extension of time for good cause shown, may result in dismissal of the staff assisted alternative rate setting application and closure of the docket.

APPROVED

Issue 4: Should this docket be closed?

Recommendation: Yes, if no timely protest is filed by a substantially affected person within 21 days of the Order, a Consummating Order should be issued and the docket should be closed. If a protest is filed within 21 days of the issuance of the Order, the docket should remain open pending resolution of the protest.

APPROVED