

VOTE SHEET

May 8, 2012

Docket No. 110302-WU – Application by Raintree Utilities, Inc. in Lake County for the transfer of the Bentwood water facilities to the Bentwood Homeowners Association, Inc., and the transfer of the Raintree Harbor water facilities and Certificate No. 539-W to Raintree Harbor Utilities, LLC.

Issue 1: Should the transfer of the Bentwood water system from Raintree Utilities, Inc. to the Bentwood Homeowners Association, Inc. be approved?

Recommendation: Yes. The transfer is in the public interest and should be approved effective the date of the Commission’s vote. The Bentwood water territory, as described in Attachment A of staff’s memorandum dated April 26, 2012, should be deleted from Certificate No. 539-W. Raintree should be required to file closing documents which contain evidence of the date of closing within 30 days of the Commission’s vote. Raintree should also be responsible for remitting 2012 regulatory assessment fees (RAFs) for the Bentwood water system through the date of the Commission’s vote.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in blue ink on four horizontal lines under the MAJORITY heading.

Four horizontal lines under the DISSENTING heading, which are currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02934 MAY-8 02

FPSC-COMMISSION CLERK

Vote Sheet
May 8, 2012

Docket No. 110302-WU – Application by Raintree Utilities, Inc. in Lake County for the transfer of the Bentwood water facilities to the Bentwood Homeowners Association, Inc., and the transfer of the Raintree Harbor water facilities and Certificate No. 539-W to Raintree Harbor Utilities, LLC.

(Continued from previous page)

Issue 2: Should the transfer of the Raintree Harbor water system and Certificate No. 539-W from Raintree Utilities, Inc. to Raintree Harbor Utilities, LLC 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 B of staff's memorandum dated April 26, 2012. The resultant order should serve as Raintree Harbor LLC's Certificate No 539-W and should be retained by Raintree Harbor LLC. Raintree Harbor LLC should be required to file closing documents which contain evidence of the date of closing and a recorded copy of the warranty deed within 30 days of the Commission's vote. The Utility's existing rates and charges should continue to be in effect until authorized to be changed by the Commission in a subsequent proceeding. The tariff pages reflecting the transfer should be effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475, F.A.C. Raintree Harbor LLC should be responsible for submitting annual reports and remitting RAFs for the Raintree Harbor water system for 2012 and all future years.

APPROVED

Issue 3: What is the net book value of the Raintree Harbor water system for transfer purposes and should an acquisition adjustment be approved?

Recommendation: The net book value of the Raintree Harbor water system is \$61,856 as of December 31, 2011. A negative acquisition adjustment should not be included in rate base. Within 30 days of the date of the final order, Raintree Harbor LLC should be required to provide general ledger balances which show its books have been updated to reflect the Commission-approved balances as of December 31, 2011, along with a statement that these numbers will also be reflected in the Utility's 2012 annual report.

APPROVED

Issue 4: Should this docket be closed?

Recommendation: No. The transfer of the Bentwood and Raintree Harbor water systems will become final agency actions upon the Commission's vote. The docket should remain open pending receipt of closing documents, a recorded copy of the warranty deed, and updated general ledger balances. If no timely protest to the proposed agency action portion of this recommendation with respect to the Raintree Harbor water system's net book value is filed with the Commission by a substantially affected person, a Consummating Order should be issued. Following the expiration of the protest period with no timely protest, the issuance of a Consummating Order, and the Utility's submission of closing documents, a recorded warranty deed, and updated general ledger balances, the docket should be closed administratively.

APPROVED