

VOTE SHEET

DATE: April 16, 1996

RE: DOCKET NO. 950495-WS - Application for rate increase and increase in service availability charges by Southern States Utilities, Inc. for Orange-Osceola Utilities, Inc. in Osceola County, and in Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties.

Issue 1: Recommendation that the Commission should allow oral argument on the petitioners' motion to dismiss and request for evidentiary hearing, with each side allocated ten minutes.

APPROVED

Issue 2: Recommendation that a separate hearing should not be held, but the issue of misconduct should be added as an issue in this case and the parties should be allowed to present evidence at the formal hearing on whether there is or was misconduct, and what is the appropriate remedy.

or mismanagement

MODIFIED

The Commission voted to defer the motion to dismiss

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Joe Francis
Susan J. Clark
J. Terry Dea
Jane K. Hess

REMARKS/DISSENTING COMMENTS:

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Issue 3: Recommendation that, pending the outcome of the evidentiary hearing, the Commission should not rule on the motions to dismiss. However, if the Commission should deny the request to schedule evidentiary hearing, and make a determination based on the pleadings, then the motions to dismiss should be denied.

Based on decision in Issue 2, no action was taken on this issue.