

VOTE SHEET

DATE: February 18, 1997

RE: DOCKET NO. 961141-WU - Initiation of show cause proceedings against A. P. Utilities, Inc. for violation of Rule 25-30.110(3), F.A.C., Annual Reports, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

Issue 1: Recommendation that APU be ordered to show cause within 20 days why it should not be fined \$24,232.50 for violation of Rule 25-30.110, Florida Administrative Code, by failing to file its 1994 and 1995 annual reports, and for failing to correct deficiencies in its 1993 annual report. The show cause order should incorporate the conditions stated herein.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90)

DOCUMENT NUMBER-DATE

01784 FEB 18 97

FPSC-RECORDS/REPORTING

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Issue 2: Recommendation that APU be ordered to show cause within 20 days why it should not be fined in the amount of \$25,934.89 for violation of Section 350.113, Florida Statutes, and Rule 25-30.120, Florida Administrative Code, in that it failed to pay regulatory assessment fees for each of the years 1991 through 1995. The show cause order should incorporate the conditions stated herein.

APPROVED

Issue 3: Recommendation that, if the Commission approves Issues Nos. 1 and 2 and the utility fails to respond timely to the show cause, the penalty of \$35,272.33 and interest of \$14,895.06 should be imposed without further action by this Commission.

APPROVED

Issue 4: Recommendation that, if reasonable collection efforts are unsuccessful, the collection of the statutory penalty of \$35,272.33 and statutory interest of \$14,895.06 should be forwarded to the Comptroller's office and the docket closed. Additionally, the collection of the \$44,159.36 in delinquent regulatory assessment fees should also be forwarded to the Comptroller's Office.

APPROVED

Issue 5: Recommendation that, if the Commission approves Issues Nos. 1 and 2 and the utility responds timely to the show cause without remitting the fine, this docket should remain open.

APPROVED