

VOTE SHEET

DATE: APRIL 1, 1997

RE: DOCKET NO. 95000-WS - Disposition of gross-up funds collected by Hydratech Utilities, Inc. in Martin County.

Issue 1: Should Hydratech Utilities, Inc. be required to refund excess gross-up collections for 1995?

Recommendation: Yes, the utility should refund \$71,902 for 1995, plus accrued interest through the date of refund, for gross-up collected in excess of the above-the-line tax liability resulting from the collection of taxable CIAC. According to Orders Nos. 16971 and 23541, all amounts should be refunded on a pro rata basis to those persons who contributed the taxes. The refunds should be completed within six months of the effective date of the order. Within 30 days from the date of the refund, the utility should submit copies of cancelled checks, credits applied to monthly bills or other evidence that verifies that the utility has made the refunds. Within 30 days from the date of the refund, the utility also should provide a list of unclaimed refunds detailing the contributor and the amount, and an explanation of the efforts made to make the refunds.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the majority column]*

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REMARKS/DISSENTING COMMENTS:

Vote Sheet  
Docket No. 970275-WS  
April 1, 1997

Issue 2: Should the docket be closed?

Recommendation: No. Upon expiration of the protest period, if a timely protest is not received from a substantially affected person, the docket should remain open pending verification of the refunds. Staff should be given administrative authority to close the docket upon verification that the refunds have been completed.

**APPROVED**