

VOTE SHEET

DATE: May 6, 1997

RE: DOCKET NO. 961299-WS - Application for grandfather certificate to operate a water and wastewater utility in Polk County, by Garden Grove Water Company, Inc. (This item was deferred from the 4/14/97 Commission Conference.)

Issue 1: Should the Commission grant Emmer's request for oral argument in this proceeding?

Recommendation: No. The Commission should deny Emmer's request for oral argument since interested parties in this item already have an opportunity to participate at the agenda conference.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

DISSENTING

MAJORITY

[Handwritten signatures: Thomas Clark, Jerry Deas, and others]

REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90)

DOCUMENT NUMBER-DATE

04643 MAY-85

FPSC-RECORDS/REPORTING

Issue 2: Should the Commission grant Emmer Development Corp.'s Petition for Leave to Intervene, Request for Proposed Agency Action, and Request for Hearing?

Recommendation: No. Emmer Development Corp.'s Petition for Leave to Intervene, Request for Proposed Agency Action and Request for Hearing should be denied. Accordingly, the Commission should find Garden Grove's Motion to Dismiss moot.

APPROVED

Issue 3: Should Polk County's petition for leave to intervene be granted?

Recommendation: No. Since Garden Grove has a statutory entitlement to a grandfather certificate, Polk County's petition to intervene should be denied. However, if the Commission denies staff's recommendation on this basis, Polk County's petition to intervene should be denied for lack of standing.

APPROVED

Issue 4: Should the City of Lake Wales' Petition for Leave to Intervene be granted?

Recommendation: No. Since Garden Grove has a statutory entitlement to a grandfather certificate, Lake Wales' petition to intervene should be denied. However, if the Commission denies staff's recommendation on this basis, Lake Wales' petition to intervene should be denied for lack of standing.

APPROVED

Issue 5: Should this docket be closed?

Recommendation: No. This docket should remain open pending final disposition of the utility's application for a grandfather certificate.

APPROVED