

VOTE SHEET

DATE: May 19, 1997

RE: DOCKET NO. 951056-WS - Application for rate increase in Flagler County by Palm Coast Utility Corporation.

Issue 1: Should the Commission grant PCUC's Motion for Stay of Order Nos. PSC-96-1338-FOF-WS and PSC-97-0388-FOF-WS?

Recommendation: Yes. Because the orders involve both a refund of monies and a decrease in certain rates charged to customers, the Commission should grant the motion for stay if PCUC posts sufficient security in accordance with Rule 25-22.061(1), Florida Administrative Code.

APPROVED

COMMISSIONERS ASSIGNED: JN DS KS

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signature: Steven J. Clark]

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REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90)

DOCUMENT NUMBER-DATE

04983 MAY 1997

FPSC-RECORDS/REPORTING

Issue 2: Should the utility hold revenues collected under interim rates pursuant to Order No. PSC-96-0493-FOF-WS issued April 9, 1996 subject to refund and if so, what is the appropriate amount?

Recommendation: Yes, PCUC should hold 2.22% of annual water interim revenues and 7.87% of annual wastewater interim revenues collected pursuant to Order No. PSC-96-0493-FOF-WS subject to refund.

APPROVED

Issue 3: What is the appropriate security to guarantee the revenue subject to refund collected as per the Interim Order No. PSC-96-0493-FOF-WS and any additional revenues resulting from the extended time period due to PCUC's Motion for Stay of Order Nos. PSC-96-1338-FOF-WS and PSC-97-0388-FOF-WS?

Recommendation: The utility should be required to post a bond in the amount \$1,395,580 as security to guarantee any potential refunds of revenues collected as per the Interim Order No. PSC-96-0493-FOF-WS and any additional revenues resulting from the extended time period due to the utility's Motion for Stay of Order Nos. PSC-96-1338-FOF-WS and PSC-97-0388-FOF-WS. Pursuant to Rule 25-30.360(6), Florida Administrative Code, the utility should be required to provide a report by the 20th of each month indicating the monthly and total revenue collected subject to refund. Further, the bond should state that it will remain in effect during the pendency of the appeal and will be released or terminated upon subsequent order of the Commission addressing the potential refund.

APPROVED

Issue 4: Should this docket be closed?

Recommendation: No. The docket should remain open pending resolution of the appeal process.

APPROVED