

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

48

SEPTEMBER 9, 1997

RE: DOCKET NO. 960695-WS - Joint application for approval of transfer of Certificates Nos. 359-W and 290-S and utility facilities from South Broward Utility, Inc. to Clay Utility Company in Broward County. (Deferred from 8/18/97 Commission Conference)

Issue 1: Should the Commission grant the City of Sunrise's Motion for Clarification of Order No. PSC-97-0579-FOF-WS?

Recommendation: No. The Commission should deny the City of Sunrise's Motion for Clarification of Order No. PSC-97-0579-FOF-WS. However, on its own motion, the Commission should acknowledge that Order No. PSC-96-1137-FOF-WS is currently under appeal and subject to the automatic stay provision in Rule 9.310(b)(2), Florida Rules of Appellate Procedure, and that the territory addressed in that order includes part of the territory transferred from South Broward Utility, Inc. to Clay Utility Company by Order No. PSC-97-0579-FOF-WS.

*This item has been withdrawn.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09119 SEP 10 5

FPSC-RECORDS/REPORTING

NOTE SHEET

SEPTEMBER 9, 1997

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Utility, Inc. to Clay Utility Company in Broward County.

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Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the outcome of  
Sunrise's appeal of Orders Nos. PSC-96-1137-FOF-WS and PSC-96-1137A-FOF-WS,  
in Docket No. 941121-WS.