

VOTE SHEET

NOVEMBER 4, 1997

RE: DOCKET NO. 961220-SU - Application for staff-assisted rate case in Citrus County by RHV Utility, Inc.

Issue 1: Should RHV Utility, Inc.'s request for a sixty-day extension of time to respond to Order No. PSC-97-0854-FOF-SU be granted?

Recommendation: No. RHV Utility, Inc.'s request should be denied as untimely and inappropriate. Pursuant to Order No. PSC-97-0854-FOF-SU, the \$5,000 fine should be imposed without further action of the Commission. Based on information set forth in the analysis portion of staff's memorandum, staff recommends that the Commission allow the utility additional time to satisfy the mandates of the Fifth Circuit Court. Therefore, staff also recommends that the \$5,000 fine be suspended for six months pending resolution of the current civil proceedings initiated by the Department of Environmental Protection.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11433 NOV-56

FPSC-RECORDS/REPORTING

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Issue 2: Should the docket be closed?

Recommendation: No. This docket should remain open for staff to verify the utility's compliance with the Department of Environmental Protection's standards. Furthermore, this docket should remain open pending completion by the utility of construction of the pro forma improvements approved in Order No. PSC-97-0854-FOF-SU.

**APPROVED**