

VOTE SHEET

NOVEMBER 18, 1997

RE: DOCKET NO. 971076-WS - Initiation of show cause proceedings against A.P. Utilities, Inc. in Marion County for violation of Rule 25-30.110(3), F.A.C., Annual Report, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

Issue 1: Should APU be ordered to show cause why it should not remit a penalty in the amount of \$2,551.50 for failing to comply with Rule 25-30.110, Florida Administrative Code, in that it did not timely file its 1996 annual report?

Recommendation: Yes. Staff recommends that APU be ordered to show cause within 20 days why it should not remit a penalty in the amount of \$2,551.50 for violation of Rule 25-30.110, Florida Administrative Code, by failing to timely file its 1996 annual report. The show cause order should incorporate the conditions stated in the analysis portion of staff's 11/6/97 memorandum.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

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REMARKS/DISSENTING COMMENTS

DOCUMENT NUMBER DATE

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FROM: DTL/BS/REG/ENG

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(Continued from previous page)

Issue 2: Should APU be ordered to show cause within 20 days why it should not remit a statutory penalty in the amount of \$2,748.12 and \$879.40 in interest for violation of Section 350.113, Florida Statutes, Section 367.145, Florida Statutes, and Rule 25-30.120, Florida Administrative Code, in that it failed to pay regulatory assessment fees for 1996?

Recommendation: Yes. Staff recommends that APU be ordered to show cause within 20 days why it should not remit a statutory penalty in the amount of \$2,748.12 and \$879.40 in interest totaling \$3,627.52 for violation of Section 350.113, Florida Statutes, Section 367.145, Florida Statutes, and Rule 25-30.120, Florida Administrative Code, in that it failed to pay regulatory assessment fees for 1996. Further, APU should be ordered to immediately remit \$10,992.47 in outstanding regulatory assessment fees for 1996. The show cause order should incorporate the conditions stated in the staff analysis.

APPROVED