

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 17, 1998

RE: DOCKET NO. 980178-SU - Disposition of gross-up funds collected by Eagle Ridge Utilities, Inc. In Lee County.

Issue 1: Should Eagle Ridge Utilities, Inc. be required to refund excess gross-up collections for 1996?

Recommendation: No. The utility over collected CIAC gross-up in the amount of \$361; however, staff recommends that the Commission accept the utility's request to offset 50% of the legal and accounting fees incurred (\$2,619) against the refund amount of \$361. Although the utility is entitled to offset \$2,619, only \$361 of this amount will be used to offset the refund of \$361. When the offset is made, no refund is required for 1996.

APPROVED *as clarified at conference.*

Issue 2: Should the docket be closed?

Recommendation: Yes, this docket should be closed upon the expiration of the protest period.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column: Susan J. Clark, J. A. [unclear], [unclear], Joe [unclear]]

[Empty lines for dissenting signatures]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02324 FEB 18 98

FPSC-RECORDS/REPORTING