

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 22, 1998

RE: DOCKET NO. 980953-SU - Acknowledgment of transfer of wastewater service in Lee County from Bonita 75 Corporation, holder of Certificate No. 485-S, to Bonita Springs Utilities, Inc., an exempt utility, and cancellation of Certificate No. 485-S.

Issue 1: Should Bonita 75 be ordered to show cause, in writing within 21 days, why it should not be fined for violation of Section 367.071(1), Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

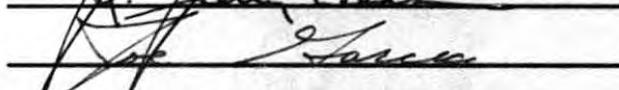
MAJORITY

DISSENTING









REMARKS/DISSENTING COMMENTS:

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Issue 2: Should the Commission acknowledge the transfer of Bonita 75 Corporation to Bonita Springs Utilities, Inc., as of April 24, 1995, and cancel Wastewater Certificate No. 485-S?

Recommendation: Yes. The Commission should acknowledge the transfer of Bonita 75 Corporation to Bonita Springs Utilities, Inc., as of April 24, 1995, and cancel Wastewater Certificate No. 485-S.

APPROVED

Issue 3: Should Bonita 75 be ordered to show cause in writing, within 21 days, why it should not remit regulatory assessment fees in the amount of \$212.46 as well as a statutory penalty in the amount of \$53.12 and interest in the amount of \$65.86, for violation of Sections 350.113 and 367.145, Florida Statutes, and Rule 25-30.120, Florida Administrative Code, for failure to pay regulatory assessment fees from January 1, 1995 to April 24, 1995?

Recommendation: No. A show cause proceeding against Bonita 75 should not be initiated. Staff further recommends that the Commission refer Bonita 75's unpaid regulatory assessment fees and associated penalties and interest to the State of Florida Comptroller's Office for permission to write off the account as uncollectible.

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Issue 4: Should Bonita 75 be ordered to show cause, in writing, within 21 days, why it should not remit a penalty for failing to comply with Rule 25-30.110, Florida Administrative Code, in that it did not file its annual report for 1995?

Recommendation: No. A show cause proceeding against Bonita 75 should not be initiated.

APPROVED

Issue 5: Should this docket be closed?

Recommendation: Yes. If the Commission approves Staff's recommendation, upon referral to the Comptroller's Office, no further action will be required, and this docket should be closed.

APPROVED