

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 6, 1998

RE: DOCKET NO. 970657-WS - Application for certificates to operate a water and wastewater utility in Charlotte and DeSoto Counties by Lake Suzy Utilities, Inc.

DOCKET NO. 980261-WS - Application for amendment of Certificates Nos. 570-W and 496-S to add territory in Charlotte County by Florida Water Services Corporation.

Issue 1: Should the Commission acknowledge the withdrawal of DeSoto County's intervention?

Recommendation: Yes. The Commission should acknowledge the withdrawal of DeSoto County's intervention and participation in this proceeding.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Susan Clark
[Signature]
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J. Terry
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REMARKS/DISSENTING COMMENTS:

Commissioners Deason and Jacobs dissented

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Issue 2: Should the Commission grant Lake Suzy Utilities, Inc.'s Motion for Partial Summary Disposition?

Recommendation: No. Material facts remain at issue. Thus, the Motion for Partial Summary Disposition on the issue of FWSC's application to provide water service to the Links subdivision should be denied. Because staff is recommending denial of Lake Suzy's motion, there is no basis for an award of costs or attorneys fees at this time.

APPROVED

Issue 3: Should these dockets be closed?

Recommendation: No. If staff's recommendation is approved in Issue 2, these dockets should remain open pending final disposition of this case.

APPROVED