

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 1, 1998

RE: DOCKET NO. 980536-WU - Application for transfer of water facilities from Alturas Water Works to Keen Sales, Rentals and Utilities, Inc. in Polk County, cancellation of Alturas' Certificate No. 591-W, and amendment of Keen's Certificate No. 582-W to include additional territory.

Issue 1: Should the transfer of facilities from Alturas Water Works to Keen Sales, Rentals and Utilities, Inc., the amendment of Water Certificate No. 582-W, and the cancellation of Water Certificate No. 591-W be approved?

Recommendation: Yes. The transfer of facilities from Alturas Water Works to Keen Sales, Rentals and Utilities, Inc., the amendment of Water Certificate No. 582-W, and the cancellation of Water Certificate No. 591-W should be approved. The utility should provide written confirmation of the transfer closing, which should be submitted to the Commission within 60 days of the closing.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the Majority column]*

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REMARKS/DISSENTING COMMENTS:

Chairman Johnson participated in the conference via teleconference. She agreed with ~~disented from~~ the majority vote and will sign the vote sheet upon return to Tallahassee.

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Issue 2: What is the rate base of Alturas Water Works at the time of transfer?

Recommendation: The rate base of Alturas Water Works could not be determined. Keen should be put on notice that it will be required to conduct an original cost study upon the filing of any rate petition. Keen should also be required to maintain its books in compliance with the NARUC Uniform System of Accounts.

**MODIFIED**

*The Commission will establish rate base when a SARC is filed.*

Issue 3: Should an acquisition adjustment be approved?

Recommendation: No, since rate base cannot be established at this time.

**APPROVED**

Issue 4: Should Keen Sales, Rentals and Utilities, Inc., continue to use the rates and charges approved by this Commission for Alturas Water Works?

Recommendation: Yes. Keen Sales, Rentals and Utilities, Inc., should continue charging the rates approved for Alturas Water Works. In addition, the utility should be authorized to collect a \$2.00 late payment charge. The tariff should be effective for services provided or connections made on or after the stamped approval date, in accordance with Rule 25-30.475, Florida Administrative Code, provided the customers have received notice.

**APPROVED**

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Issue 5: Should the Commission order Alturas to show cause, in writing within twenty-one days, why it should not be fined an amount up to \$5,000 for violations of Sections 367.081(1) and 367.091(3), Florida Statutes.

Recommendation: No, a show cause proceeding should not be initiated. However, the utility should be placed on notice that, pursuant to Sections 367.081(1) and 367.091(3), Florida Statutes, it may in the future only collect rates and charges approved by the Commission.

**APPROVED**

Issue 6: Should this docket be closed?

Recommendation: No. Upon expiration of the protest period, if no timely protest is received from a substantially affected person, the docket shall remain open until receipt of written confirmation of the date of closing of transfer. After receipt of confirmation of closing, Water Certificate No. 591-W should be canceled, Water Certificate No. 582-W should be amended, and this docket should be closed administratively.

**APPROVED**