

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 15, 1998

RE: DOCKET NO. 981609-WS - Emergency petition by D.R. Horton Custom Homes, Inc. to eliminate authority of Southlake Utilities, Inc. to collect service availability charges and AFPI charges in Lake County.

Issue 1: Should the Commission initiate an investigation of Southlake's service availability and AFPI charges?

Recommendation: Yes. The Commission should initiate an investigation of the utility's service availability and AFPI charges to determine the appropriateness of continuing such charges.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should Southlake's prospective service availability and AFPI charges be held subject to refund?

Recommendation: Yes. Staff believes that Southlake's prospective service availability and AFPI charges should be held subject to refund.

APPROVED

Issue 3: What is the appropriate security to guarantee the amount of prospective service availability and AFPI charges collected subject to refund?

Recommendation: The utility should be required to file an escrow agreement to guarantee the amount of prospective service availability and AFPI charges collected subject to refund. Pursuant to an escrow agreement, the utility would be required to deposit the monthly amount of prospective service availability and AFPI charges collected until completion of this investigation. Pursuant to Rule 25-30.360(6), Florida Administrative Code, the utility should be required to provide a report by the 20th day of each month indicating the monthly and total amount of service availability and AFPI charges collected subject to refund as of the end of the preceding month.

MODIFIED

*only AFPI charges will be
escrowed (not service availability) —
both will be held subject to refund*

Issue 4: Should this docket be closed?

Recommendation: No. This docket should remain open pending Staff's investigation of the utility's contribution levels and the appropriateness of continuing the service availability and AFPI charges.

APPROVED