

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 19, 1999

RE: DOCKET NO. 981797-WS - Disposition of gross-up funds collected by Indiantown Company, Inc. in Martin County.

Issue 1: Should Indiantown Company, Inc. be required to refund excess CIAC gross-up collections for 1991-1996?

Recommendation: The utility does not owe any refunds for 1991-1994. However, the utility should be ordered to refund \$22,102 for 1995, and \$9,169 for 1996, for a total refund of \$31,271 for excess gross-up collections, plus accrued interest through the date of refund.

According to Orders Nos. 16971 and 23541, all amounts should be refunded on a pro rata basis to those persons who contributed the taxes. The refunds should be completed within 6 months of the effective date of the order. Within 30 days from the date of the refund, the utility should submit copies of canceled checks, credits applied to monthly bills or other evidence that verifies that the utility has made the refunds. Within 30 days from the date of the refund, the utility also should provide a list of unclaimed refunds detailing the contributor and amount, and an explanation of the efforts made to make the refunds.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should this docket be closed?

Recommendation: No. Upon expiration of the protest period, this docket should remain open pending staff's verification of refunds. Staff should be given administrative authority to close the docket upon verification that the refunds have been completed, and there are no unclaimed refunds.

**APPROVED**