

VOTE SHEET

FEBRUARY 16, 1999

RE: DOCKET NO. 971401-WS - Application for staff-assisted rate case in Bay County by Bayside Utilities, Inc.

Issue 1: Should the customers' notice of voluntary withdrawal of protest of Proposed Agency Action Order No. PSC-98-1269-FOF-WS be acknowledged and that order become final?

Recommendation: Yes, the withdrawal of protest should be acknowledged. Order No. PSC-98-1269-FOF-WS should be made final and effective February 16, 1999.

APPROVED

Issue 2: What is the appropriate disposition of the irrevocable letter of credit in the amount of \$15,953, submitted by Peoples First Community Bank on behalf of Bayside Utilities, Inc.?

Recommendation: The irrevocable letter of credit in the amount of \$15,953 provided by Peoples First Community Bank on behalf of Bayside Utilities, Inc., should be released.

APPROVED

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02082 FEB 16 99

FPSC-RECORDS/REPORTING

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(Continued from previous page)

Issue 3: Should this docket be closed?

Recommendation: Yes. Staff has verified that Bayside Utilities, Inc., has removed all non-utility related users from the power meter at the "Eastern" lift station, and installed emergency lights for each lift station as required by Order No. PSC-98-1269-FOF-WS. Also, the utility is in compliance with all other requirements of Order No. PSC-98-1269-FOF-WS. Therefore, if the Commission approves Issues 1 and 2 of this recommendation, no further action is necessary in this docket, and the docket may be closed.

APPROVED