

VOTE SHEET

FEBRUARY 16, 1999

RE: DOCKET NO. 960444-WU - Application for rate increase and for increase in service availability charges in Lake County by Lake Utility Services, Inc.

Issue 1: Should the Commission grant OPC's Motion for Expedited Hearing on its Motion to Dismiss?

Recommendation: There is no need to rule on OPC's motion for expedited hearing because it is moot.

APPROVED

Staff's recommendation there was no need to rule

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signature]
Susan Clark
J. Terry Dean

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02083 FEB 16 99

FPSC-RECORDS/REPORTING

VOTE SHEET

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DOCKET NO. 960444-WU - Application for rate increase and for increase in service availability charges in Lake County by Lake Utility Services, Inc.

(Continued from previous page)

Issue 2: Should OPC's motion to dismiss LUSI's application for a rate increase and for an increase in service availability charges be granted?

Recommendation: No. OPC's motion to dismiss LUSI's application for a rate increase and for an increase in service availability charges should be denied because the grounds alleged do not support a motion to dismiss. Furthermore, OPC's motion should be denied because it was not filed on a timely basis pursuant to Rule 28-106.204(2), Florida Administrative Code.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No, this docket should remain open in order to proceed to hearing on OPC's petition.

APPROVED