

VOTE SHEET

MARCH 16, 1999

RE: DOCKET NO. 981913-WS - Petition for waiver of Rule 25-30.110(3), F.A.C., by CHC, VII, Ltd. in Polk County.

Issue 1: Should the Commission grant CHC VII's Petition for Waiver of Rule 25-30.110(3), Florida Administrative Code?

Recommendation: No. The Commission should deny CHC VII's petition for rule waiver of Rule 25-30.110(3), Florida Administrative Code, because the Petition does not meet the requirements of Section 120.542, Florida Statutes. Therefore the utility should be required to file annual reports for 1996 and 1997 within 30 days from the effective date of the order.

DENIED

The Commission granted the company's petition for waiver based on violation of principles of fairness. The company agreed to file an affidavit certifying revenues to determine RAs for 1996 and 1997.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed if no person whose interests are substantially affected by the proposed action files a protest within the 21-day protest period.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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