

VOTE SHEET

JULY 6, 1999

RE: DOCKET NO. 990558-WU - Petition by Levy County as receiver for University Oaks Water System for waiver of Rule 25-30.110, F.A.C., and to write off past due regulatory assessment fees.

Issue 1: Should the Commission grant the request of Levy County as receiver for University Oaks Water System for waiver of the rules requiring filing of annual reports and regulatory assessment fees?

Recommendation: Based on Section 120.542, Florida Statutes, the Commission should grant Levy County's request for waiver of that part of Rule 25-30.110, Florida Administrative Code, which provides for the filing of annual reports and delinquent penalties. However, the collection of regulatory assessment fees, plus penalty and interest, is statutory and cannot be waived.


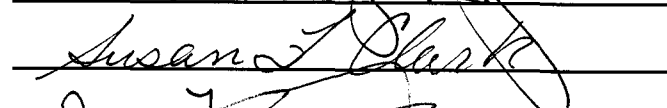

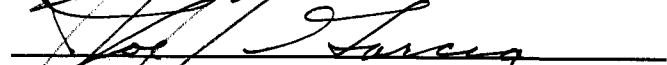
**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08082 JUL-6 99

FPSC-RECORDS/REPORTING

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(Continued from previous page)

Issue 2: Should University Oaks Water System be ordered to show cause in writing, within 21 days, why it should not remit regulatory assessment fees in the amount of \$2,254.80, as well as the statutory penalty in the amount of \$559.16, and interest in the amount of \$739.39, for violation of Sections 350.113 and 367.145, Florida Statutes, and Rule 25-30.120, Florida Administrative Code, for failure to pay regulatory assessment fees from 1994 through March 8, 1998?

Recommendation: No. A show cause proceeding against University Oaks Water System should not be initiated. Staff further recommends that the Commission refer University Oaks Water System's unpaid regulatory assessment fees and associated penalties and interest to the State of Florida Comptroller's Office for permission to write off the account as uncollectible.

**APPROVED**

Issue 3: Should this docket be closed?

Recommendation: No. If no person whose interests are substantially affected by the proposed action files a protest within the 21-day protest period, the proposed action becomes final and effective upon the issuance of a Consummating Order, but this docket should remain open until the Office of the Comptroller gives permission to write off the account as uncollectible.

**APPROVED**