

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 27, 1999

RE: DOCKET NO. 981100-WS - Application for grandfather certificate to operate water and wastewater utility in Polk County by Robert W. Arnold Sr. and transfer to governmental authority.

Issue 1: Should Robert W. Arnold, Sr., be ordered to show cause in writing within 21 days why he should not be fined for failing to file his annual reports for 1996, 1997, and 1998 in accordance with Rule 25-30.110, Florida Administrative Code?

Recommendation: No. A show cause proceeding should not be initiated. Further, the Commission should accept the affidavit filed by Robert W. Arnold, Sr., certifying the revenues for purposes of calculating regulatory assessment fees for 1996, 1997, and 1998 in lieu of the annual reports.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]
Susan Clark
[unclear]
[unclear]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08909 JUL 28 89

FPSC-RECORDS/REPORTING

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Issue 2: Should the application of Robert W. Arnold, Sr., for grandfather certificates in Polk County be approved?

Recommendation: Yes. The application for grandfather certificates should be approved and Water Certificate No. 612-W and Wastewater Certificate No. 528-S should be issued to Robert W. Arnold, Sr.

APPROVED

Issue 3: Should the Commission approve the application for transfer of facilities from Robert W. Arnold, Sr. to the City of Winter Haven?

Recommendation: Yes. The application for transfer of facilities from Robert W. Arnold, Sr. to the City of Winter Haven should be approved as a matter of right. However, because the transfer has not yet occurred, the docket should remain open and the certificates should remain active pending receipt of proof that the closing has occurred. Robert W. Arnold, Sr. should be required to provide proof of the closing within six months of the issuance date of the order memorializing the action taken at this agenda conference. Upon receipt of proof that the transfer has taken place, the docket should be closed administratively. In addition, Robert W. Arnold, Sr. should be required to pay all outstanding RAFs within 30 days of the date of closing of the transfer. If the RAFs are not paid within 30 days, this matter should be referred to the Comptroller's office for collection.

APPROVED

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Issue 4: What rates and charges should be approved for this utility?

Recommendation: The rates and charges as detailed in the staff analysis should be approved. The tariff should be effective for services rendered or connections made on or after the stamped approval date of the tariff.

APPROVED

Issue 5: Should this docket be closed?

Recommendation: No. This docket should remain open pending receipt of proof, including actual closing date, of the transfer of the utility to the City of Winter Haven. Upon receipt of proof that the closing has occurred, Certificates Nos. 612-W and 528-S should be canceled and the docket should be closed administratively.

APPROVED