

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 30, 1999

RE: DOCKET NO. 980242-SU - Petition for limited proceeding to implement two-step increase in wastewater rates in Pasco County by Lindrick Service Corporation.

Issue 1: Should OPC's Motion for Order Requiring Refunds With Interest for Collecting Unlawful Rates be granted?

Recommendation: OPC's motion should be granted in part and denied in part. Specifically, for the emergency rates, Lindrick Service Corporation should be required to refund with interest (through a credit on the bills) all increased revenues associated with implementing the emergency rates for service provided prior to May 27, 1999. For the temporary rates, the utility should be required to refund with interest (through a credit on the bills) all increased revenues associated with implementing the temporary

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Staff to advise

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rates for service prior to October 11, 1999, and not the October 12, 1999 date requested by OPC. All refunds should be made in accordance with Rule 25-30.360, Florida Administrative Code, and should be completed within 45 days of the issuance date of the Order requiring refunds.

DEFERRED

Issue 2: Should the Commission order Lindrick Service Corporation to show cause, in writing, within twenty-one days, why it should not be fined an amount up to \$5,000 for each offense for its apparent failure to properly implement both the emergency rates and temporary rates as authorized by Orders Nos. PSC-99-1010-PCO-SU, issued May 20, 1999, and PSC-99-1883-PAA-SU, issued September 21, 1999, respectively?

Recommendation: No. A show cause proceeding should not be initiated for the utility's apparent failure to properly implement the emergency and temporary rates authorized by Orders Nos. 99-1010-PCO-SU and PSC-99-1883-PAA-SU.

Issue 3: Should this docket be closed?

Recommendation: No. This docket should remain open in order to conduct a hearing on the protests filed in this docket.