

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 30, 1999

RE: DOCKET NO. 990975-SU - Application for transfer of Certificate No. 281-S in Lee County from Bonita Country Club Utilities, Inc. to RealNor Hallandale, Inc.

Issue 1: What are the appropriate monthly expenses to be released from the escrow account for the purpose of operating Bonita Country Club Utilities, pending final resolution of the ownership interest?

Recommendation: While the issue of ownership is being determined, the terms of the escrow agreement established in Order No. PSC-99-2107-PCO-SU should be modified to ensure the continued operation of the utility. The modified escrow agreement should result in BCCU compensating Realnor Hallandale in the amount of \$9,383 each month from the escrow account for the monthly operations of the utility. In addition, after BCCU has compensated Realnor Hallandale for the monthly operations of the utility,

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

*To the 1/18/00
Commission Conference*

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BCCU should be compensated in the amount of \$5,703 each month for the billing services provided. BCCU should submit the 1998 annual report and regulatory assessment fee along with the required penalty and interest without further delay.

DEFERRED

Issue 2: Should a separate escrow account be established for the purpose of collecting Contributions In Aid of Construction (CIAC)?

Recommendation: Yes. A separate escrow account should be established for the purpose of CIAC collections. All CIAC monies currently being held in escrow pursuant to Commission Order No. PSC-99-2107-PCO-SU should be deposited in the CIAC escrow account to be established. Any other CIAC received by BCCU should be deposited within seven days of its receipt in the CIAC escrow account to be established. BCCU should be put on notice that failure to comply with these requirements will result in the initiation of a show cause proceeding.

Issue 3: Should this docket be closed?

Recommendation: No. This docket should remain open pending resolution of the protest filed in opposition to the transfer application.