

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 4, 2000

RE: DOCKET NO. 990356-WS - Application for staff-assisted rate case in Polk County by Bieber Enterprises, Inc. d/b/a Breeze Hill Utilities.

Issue 1: Should the customers' Withdrawal of Formal Hearing Request regarding the protest of Proposed Agency Action Order No. PSC-99-2394-FOF-WS be acknowledged and that Order become final?

Recommendation: Yes, the Withdrawal of Formal Hearing Request regarding the protest should be acknowledged. Order No. PSC-99-2394-FOF-WS should be made final and effective as of the date of the Commission vote at this agenda conference.

**APPROVED**

COMMISSIONERS ASSIGNED: CL JC JB

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the majority column]*

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REMARKS/DISSENTING COMMENTS:

Commissioner Clark participated in the conference via telephone. She agreed with/ ~~dissented from~~ the majority vote and will sign the vote sheet upon return to Tallahassee.

DOCUMENT NUMBER-DATE

04206 APR-58

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Issue 2: What is the appropriate disposition of the irrevocable letter of credit in the amount of \$28,129, submitted by Citizens Bank on behalf of Breeze Hill Utilities?

Recommendation: The irrevocable letter of credit in the amount of \$28,129 provided by Citizens Bank on behalf of Breeze Hill Utilities should be canceled.

**APPROVED**

Issue 3: Should this docket be closed?

Recommendation: If the Commission approves Issues Nos. 1 and 2 of this recommendation, the docket should remain open for 180 days from the issuance date of the Order to verify that the utility has installed a new 5,000-gallon hydro-pneumatic water tank, a chlorine alarm with automatic switch-over, water meters for all customers, a blower at the wastewater plant, and purchased a back-up motor for the well pump. Once staff has verified these actions, no further action will be necessary in this docket, and the docket should be closed administratively.

**APPROVED**