

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 18, 2000

RE: DOCKET NO. 980678-WU - Initiation of show cause proceedings against Gem Estates Utilities, Inc., in Pasco County for violation of Rule 25-30.110(3), F.A.C., Annual Report, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

Issue 1: Should the Commission grant Gem Estates Utilities, Inc.'s petition for waiver of Rule 25-30.110(3), (6) and (7), Florida Administrative Code?

Recommendation: Yes, the Commission should grant Gem Estates Utilities, Inc.'s petition for waiver of Rule 25-30.110(3), (6) and (7), Florida Administrative Code, because the petition meets the requirements of Section 120.542, Florida Statutes. The Commission should refer \$3,888 in unpaid penalties associated with the failure to file 1995 through 1997 annual reports to the Comptroller's Office for permission to write off the account. Further, a notice acknowledging the satisfaction and discharge of the lien on the utility's property should be filed with the Pasco County Clerk of Circuit Court.

APPROVED

COMMISSIONERS ASSIGNED: **DS CL JC**

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Susan Clark

J. Terry Lee

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should the docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation, upon referral of the unpaid 1995 through 1997 annual report penalty to the Comptroller's Office, and upon Commission staff's filing notice with the Pasco County Clerk of Circuit Court acknowledging the satisfaction and discharge of the lien filed on the utility's property pursuant to Order No. PSC-99-0265-SC-WU, no further action will be required, and this docket should be closed.

APPROVED