

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 20, 2000

RE: DOCKET NO. 990080-WS - Complaint and request for hearing by Linda J. McKenna and 54 petitioners regarding unfair rates and charges of Shangri-La by the Lake Utilities, Inc. in Lake County.

Issue 1: Should Shangri-La's request for oral argument be granted?
Recommendation: Staff recommends that it is unnecessary to rule upon the request for oral argument because interested persons may speak on this item at the agenda conference since this matter has not been to hearing.

APPROVED

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

J. Jerry Dean
Susan D. Clark

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07546 JUN 21 8

FPSC-RECORDS/REPORTING

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Issue 2: Should Shangri-La's Motion for Reconsideration of Order No. PSC-00-0629-PCO-WS and to Establish Burden of Proof be granted?

Recommendation: Staff recommends that it is unnecessary to rule upon the reconsideration portion of Shangri-La's Motion for Reconsideration of Order No. PSC-00-0629-PCO-WS and to Establish Burden of Proof because the parties are in agreement as to who should file testimony first. Therefore, staff recommends that Order No. PSC-00-0629-PCO-WS should be modified to reflect that OPC will file its testimony first. Staff recommends that Shangri-La's request to establish the burden should be denied. In addition, staff recommends that the ultimate burden of proof rests with the utility.

* ~~NO VOTE~~ *Nothing will be addressed at hearing.*
Issue of ultimate burden of proof
Modified

Issue 3: Should the docket be closed?

Recommendation: No. The docket should remain open to allow for final disposition of this matter.

APPROVED

* Decision on Issue 2 was corrected after review of audiotape.

KF
7/26/00