

VOTE SHEET

JULY 11, 2000

RE: DOCKET NO. 980992-WS - Complaint by D.R. Horton Custom Homes, Inc. against Southlake Utilities, Inc. in Lake County regarding collection of certain AFPI charges.

DOCKET NO. 981609-WS - Emergency petition by D.R. Horton Custom Homes, Inc. to eliminate authority of Southlake Utilities, Inc. to collect service availability charges and AFPI charges in Lake County.

Issue 1: Should Southlake Utilities, Inc., be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of Order No. PSC-00-0917-SC-WS, for failing to file the proper security for amounts being held subject to refund in the event of a protest?

Recommendation: Yes. The utility should be ordered to show cause, in writing, why it should not be fined \$100 per day from May 30, 2000, for its apparent violation of Order No. PSC-00-0917-SC-WS. The show cause order should incorporate the conditions stated in the analysis portion of staff's June 29, 2000, memorandum.

DEFERRED

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Staff to advise

DOCUMENT NUMBER-DATE

08427 JUL 12 8

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Issue 2: Should the utility's request for a corporate undertaking be approved?

Recommendation: No, Southlake cannot support a corporate undertaking in the amount of \$735,592.

Issue 3: Should these dockets be closed?

Recommendation: No. These dockets should remain open pending the outcome of the Commission's final action in these dockets.