

FLORIDA PUBLIC SERVICE COMMISSION

25A

VOTE SHEET

AUGUST 1, 2000

RE: DOCKET NO. 981781-SU - Application for amendment of Certificate No. 247-S to extend service area by the transfer of Buccaneer Estates in Lee County to North Fort Myers Utility, Inc.

Issue 1: Should the Commission approve the proposed Agreement between North Fort Myers Utility, Inc., the Buccaneer Estates Homeowners Association, and Snowbirdland Vista, Inc., MHC-DeAnza Financing Limited Partnership, Manufactured Home Communities, Inc.?

Recommendation: Yes. The proposed Agreement should be approved, with the clarifications that the Commission shall not be bound by contracts between parties which might impact rate determinations in future rate cases of regulated entities, and that the utility should be entitled to bill for the additional months of arrearage incurred during the pendency of this matter.

APPROVED

** With modification that, within 30 days of date of order, NFMU will file a revised tariff reflecting Commission's decision on this matter.*

** Vote sheet corrected by addition of modification language after review of audiotape on 8/31/00.*

COMMISSIONERS ASSIGNED: DS JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

J. Terry Lee
[Signature]

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should the Office of Public Counsel's request for an emergency variance or waiver of Rules 25-30.135 and 25-30.320, Florida Administrative Code, be granted?

Recommendation: If the Commission approves staff's recommendation in Issue 1, there is no need to rule on OPC's request for emergency variance or waiver of Rules 25-30.135 and 25-30.320, Florida Administrative Code, because it is moot.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issues 1 and 2, no further action will be necessary and this docket should be closed.

APPROVED