

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

AUGUST 29, 2000

RE: DOCKET NO. 000715-SU - Investigation of possible overearnings by North Peninsula Utilities Corporation in Volusia County.

Issue 1: What is the appropriate average amount of test year rate base?  
Recommendation: The appropriate average amount of test year rate base for North Peninsula should be \$157,769.

**APPROVED**

Issue 2: What is the appropriate rate of return on equity and the appropriate overall rate of return for this utility?  
Recommendation: The appropriate rate of return on equity for North Peninsula should be 9.94% with a range of 8.94% - 10.94% and the appropriate overall rate of return should be 8.91%.

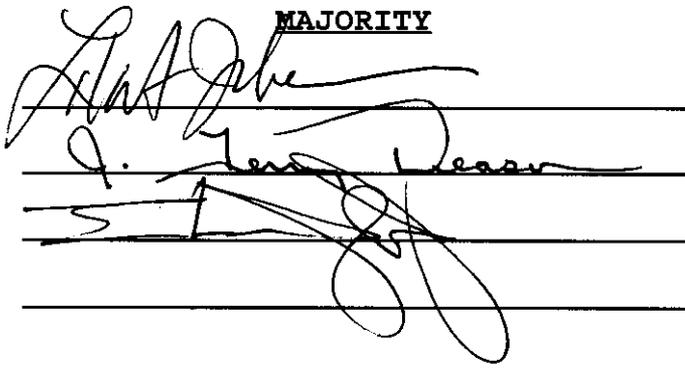
**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of five horizontal lines.

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10710 AUG 30 8

FPSC-RECORDS/REPORTING

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Issue 3: What is the appropriate test year operating revenue?

Recommendation: The appropriate test year operating revenue should be \$161,195.

**APPROVED**

Issue 4: What is the appropriate amount of operating expense?

Recommendation: The appropriate amount of operating expense should be \$134,793.

**APPROVED**

Issue 5: What is the appropriate test year revenue requirement?

Recommendation: The appropriate test year revenue requirement should be \$148,851.

**APPROVED**

Issue 6: Did North Peninsula earn in excess of its authorized rate of return for the test year ended December 31, 1998?

Recommendation: Yes. The Commission should recognize \$12,344 of 1998 revenue which exceeds North Peninsula's recommended authorized rate of return of 8.91%.

**APPROVED**

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Issue 7: Should the utility be ordered to refund the price index and pass-through rate adjustments which were implemented in 1998?

Recommendation: Yes. The index and pass-through rate adjustment which contributed to utility overearnings in 1998 should be refunded with interest. The refund for 1998 is \$2,824 before assessment of interest. This refund should be made with interest in accordance with Rule 25-30.360 (4), Florida Administrative Code, within 90 days of the effective date of the Order. The utility should be required to submit the proper refund reports pursuant to Rule 25-30.360 (7), Florida Administrative Code. The refund should be made to customers of record as of the date of the Order, pursuant to Rule 25-30.360(3), Florida Administrative Code. The utility should treat any unclaimed refunds as CIAC pursuant to Rule 25-30.360(8), Florida Administrative Code.

**APPROVED**

Issue 8: Should the utility be ordered to show cause, in writing within 21 days, why it should not be fined up to \$5,000 per day for collecting charges not approved by the Commission in apparent violation of Sections 367.081(1) and 367.091(3), Florida Statutes?

Recommendation: No. Show cause proceedings should not be initiated. However, the utility should be ordered to refund \$10,500 of unapproved service availability charges collected in 1996, and provide proof to the Commission that the refunds have been completed. These refunds should be made with interest in accordance with Rule 25-30.360 (4), Florida Administrative Code, within 90 days of the effective date of the Order. The utility should also be admonished that, pursuant to Sections 367.081(1) and 367.091(3), Florida Statutes, it may only charge rates and charges approved by the Commission.

**MODIFIED**

*Refund will not be required;  
charges will instead be credited  
to CIAC. The portion of this  
issue not related to refunds is  
not PAA; the remainder of the  
issue is PAA.*

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Issue 9: Should this docket be closed?

Recommendation: No. If no person whose interests are substantially affected by the proposed action files a protest within the 21-day protest period, the Commission's decision will become final and effective upon the issuance of a Consummating Order. However, this docket should remain open in order for staff to verify that the utility has completed the required refunds, after which time, this docket should be closed administratively.

**APPROVED**