

VOTE SHEET

AUGUST 29, 2000

RE: DOCKET NO. 991984-WS - Application for transfer of Certificate Nos. 277-W and 223-S in Seminole County from Alafaya Palm Valley Associates, Ltd. to CWS Communities LP d/b/a Palm Valley.

Issue 1: Should Alafaya be ordered to show cause, in writing within 21 days, why it should not be fined for its failure to obtain Commission approval prior to transferring its facilities to CWS, in apparent violation of Section 367.071, Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated, but the utility should be placed on notice that it is expected to know and comply with the Commission's rules and regulations.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10720 AUG 30 8

FPSC-RECORDS/REPORTING

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Issue 2: Should Alafaya be ordered to show cause, in writing within 21 days, why it should not be fined up to \$5,000 per day for failure to maintain its accounts and records in conformance with the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA), in apparent violation of Rule 25-30.115(1), Florida Administrative Code?

Recommendation: No. Alafaya should not be ordered to show cause at this time. However, the utility should be ordered to maintain its books and records in conformance with the 1996 NARUC USOA, and submit a statement from its accountant by March 31, 2001, stating that its books and records are in conformance with NARUC USOA.

APPROVED

Issue 3: Should the transfer of Certificate Nos. 277-W and 223-S from Alafaya to CWS be approved?

Recommendation: Yes, the transfer of Certificate Nos. 277-W and 223-S from Alafaya to CWS should be approved. The utility is current on its regulatory assessment fees and annual reports. CWS will be responsible for all future regulatory assessment fees and annual reports.

APPROVED

Issue 4: What is the rate base of Alafaya at the time of transfer?

Recommendation: The rate bases, which for transfer purposes reflect the net book value, are \$139,173 for the water system and \$564,877 for the wastewater system as of August 30, 1999.

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Issue 5: Should an acquisition adjustment be included in the calculation of rate base?

Recommendation: No. Because CWS has not requested an acquisition adjustment, and there are no extraordinary circumstances in this case to warrant the inclusion of an acquisition adjustment, staff recommends that no acquisition adjustment should be included in the calculation of rate base.

APPROVED

with understanding that order will include language indicating this subject will be addressed by staff in a subsequent rate case

Issue 6: Should the rates and charges approved for this utility be continued?

Recommendation: Yes. Alafaya should continue charging the rates and charges approved for this utility system until authorized to change by the Commission in a subsequent proceeding. The tariff reflecting the change in ownership should be effective for services provided or connections made on or after the stamped approval date on the tariff sheets.

APPROVED

Issue 7: Should this docket be closed?

Recommendation: Yes. If no timely protest is received to the proposed agency action issues, the Order should become final and effective upon the issuance of a Consummating Order and the docket should be closed.

APPROVED