

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 26, 2000

RE: DOCKET NO. 991494-SU - Application for transfer of wastewater facilities in Lee County from Forest Park Property Owner's Association (holder of Certificate No. 175-S) to North Fort Myers Utility, Inc. (holder of Certificate No. 247-S), cancellation of Certificate No. 175-S, and amendment of Certificate No. 247-S.

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

Recommendation: No. A show cause proceeding should not be initiated.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures for majority]

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REMARKS/DISSENTING COMMENTS:

Chairman Deason dissented from majority vote in Issue 4.

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Issue 2: Should the transfer of wastewater facilities of Forest Park to NFMU be approved and Certificate 175-S canceled?

Recommendation: Yes, the transfer of wastewater facilities of Forest Park to NFMU should be approved and Certificate 175-S held by Forest Park should be canceled.

APPROVED

Issue 3: What is the rate base of Forest Park at the time of transfer?

Recommendation: The rate base of Forest Park, which for transfer purposes reflects the net book value, is \$4,973 as of December 31, 1999.

APPROVED

Issue 4: Should an acquisition adjustment be approved?

Recommendation: No. An acquisition adjustment should not be included in the calculation of rate base for transfer purposes.

APPROVED

Chairman Deason dissented.

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Issue 5: What are the appropriate rates and charges for the utility?

Recommendation: NFMU should continue charging the customers of Forest Park the rates approved pursuant to Order No. PSC-92-1357-FOF-SU, issued November 23, 1992, in Docket Nos. 920273-SU and 920379-SU. However, the monthly lines maintenance charge of \$1.70 per customer charged by Forest Park, as established pursuant to Order No. PSC-92-1357-FOF-SU, issued November 23, 1992, should be discontinued. The tariff should be effective for services rendered or connections made on or after the stamped approval date, in accordance with Rule 25-30.475, Florida Administrative Code, provided the customers have received notice.

APPROVED

Issue 6: Should this docket be closed?

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

APPROVED