

VOTE SHEET

APRIL 3, 2001

RE: DOCKET NO. 991643-SU - Application for increase in wastewater rates in Seven Springs System in Pasco County by Aloha Utilities, Inc.

ISSUE 1: Should the Office of Public Counsel's Request for Oral Argument be granted?

RECOMMENDATION: Yes. Oral argument should be allowed on the Office of Public Counsel's Motion for Reconsideration. Pursuant to Rule 25-22.058, Florida Administrative Code, oral argument should be limited to 15 minutes for each party.

APPROVED

COMMISSIONERS ASSIGNED: JC JB BZ

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

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REMARKS/DISSENTING COMMENTS:

Replacement
DOCUMENT NUMBER-DATE

04162 APR-40

FPSC-RECORDS/REPORTING

VOTE SHEET

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DOCKET NO. 991643-SU - Application for increase in wastewater rates in Seven Springs System in Pasco County by Aloha Utilities, Inc.

(Continued from previous page)

ISSUE 2: Should the Office of Public Counsel's Motion for Reconsideration be granted?

RECOMMENDATION: No. The Office of Public Counsel has failed to identify that there has been a mistake of fact or law, or a point of fact or law which was overlooked or which the Commission failed to consider in rendering its order on either of the two issues cited. Therefore, staff recommends that the Commission deny OPC's Motion for Reconsideration.

APPROVED

ISSUE 3: Should Aloha's Cross Motion for Reconsideration be granted?

RECOMMENDATION: Aloha's Cross Motion for Reconsideration should be granted in part and denied in part. The portion of Aloha's Cross Motion requesting reconsideration on the office building, stricken supplemental rebuttal testimony, and treatment of contributed taxes should be denied. However, that portion of Aloha's Cross Motion requesting reconsideration on rate case expense should be granted in part and an additional \$6,050 of rate case expense should be approved. The additional rate case expense grossed up for regulatory assessment fees has no effect upon the rates previously approved in Order No. PSC-01-0326-FOF-SU. This approach has not been taken for rate case expense associated with a Motion for Reconsideration.

APPROVED

Further, oral argument was allowed on Aloha's cross-motion for reconsideration.

RAR note: Vote sheet corrected 4/16/01 after review of audiotape.

148

VOTE SHEET

APRIL 3, 2001

DOCKET NO. 991643-SU - Application for increase in wastewater rates in Seven Springs System in Pasco County by Aloha Utilities, Inc.

(Continued from previous page)

ISSUE 4: What action, if any, should the Commission take on the February 24, 2001, letter from Mr. Edward Wood?

RECOMMENDATION: The Commission should take no action on Mr. Wood's letter.

APPROVED

ISSUE 5: Should the Commission release the funds escrowed pursuant to Order No. PSC-01-0130-FOF-SU issued on January 17, 2001?

RECOMMENDATION: The Commission should release that portion of the escrowed funds which represents the increases granted by Order No. PSC-01-0326-FOF-SU issued on February 6, 2001. Pending Aloha Utilities, Inc., reducing its rates to the appropriate final rates, Aloha should continue to escrow 6.5% of its revenues, and only 93.5% of the revenues currently in the escrow account should be released. The remaining amount should be released upon staff's verification that the refunds have been made and that Aloha Utilities, Inc., is charging the rates approved in Order No. PSC-01-0326-FOF-SU.

APPROVED

ISSUE 6: Should this docket be closed?

RECOMMENDATION: Yes. All pending motions have been resolved and this docket should be closed in accordance with the requirements of Order No. PSC-01-0326-FOF-SU.

APPROVED