

VOTE SHEET

SEPTEMBER 4, 2001

RE: Docket No. 980992-WS - Complaint by D.R. Horton Custom Homes, Inc. against Southlake Utilities, Inc. in Lake County regarding collection of certain AFPI charges.

Docket No. 981609-WS - Emergency petition by D.R. Horton Custom Homes, Inc. to eliminate authority of Southlake Utilities, Inc. to collect service availability charges and AFPI charges in Lake County.

ISSUE 1: Should the Commission acknowledge the Withdrawal of Protest of Proposed Agency Action filed by Worthwhile Development II, Ltd. and make Order No. PSC-01-1297-PAA-WS final and effective?

RECOMMENDATION: Yes. The Commission should acknowledge the Withdrawal of Protest of Proposed Agency Action filed by Worthwhile Development II, Ltd. and make Order No. PSC-01-1297-PAA-WS final and effective.

APPROVED

COMMISSIONERS ASSIGNED: Jacobs, Deason, Palecki

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Michael A. Palecki

[Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10986 SEP-4 2001

FPSC-COMMISSION CLERK

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ISSUE 2: Should these dockets be closed?

RECOMMENDATION: No. Order No. PSC-01-1297-PAA-WS allowed for the administrative closing of these dockets upon Commission staff's verification that the utility has filed revised tariff sheets consistent with Order PSC-01-1297-PAA-WS, and that the utility properly refunded the AFPI charges. Staff has not yet verified this information; therefore, these dockets should remain open. After staff's verification these dockets should be administratively closed.

APPROVED