

VOTE SHEET

SEPTEMBER 18, 2001

RE: Docket No. 001826-WU - Application for transfer by Heartland Utilities, Inc. (holder of Certificate No. 420-W in Highlands County) of DeSoto City and Sebring Country Estates water systems to City of Sebring.

ISSUE 1: Should the transfer of a portion of Heartland's water systems to the City be approved as a matter of right and should Water Certificate No. 420-W be amended to reflect the deletion of territory?

RECOMMENDATION: Yes. The transfer of a portion of Heartland's water systems to the City should be approved as a matter of right pursuant to Section 367.071(4)(a), Florida Statutes, and Water Certificate No. 420-W should be amended to reflect the territory deletion effective January 3, 2001, which is the closing date of the sale. A description of the territory remaining after the partial transfer is contained in Attachment A of staff's September 6, 2001 memorandum.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Joseph A. Palechi*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11613 SEP 18 01

FPSC-COMMISSION CLERK

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ISSUE 2: Should the Commission open a docket to examine whether Heartland's sale of its facilities involves a gain that should be shared with Heartland's remaining customers?

RECOMMENDATION: No. The Commission should not open a docket to examine whether Heartland's sale of its facilities involves a gain that should be shared with Heartland's remaining customers.

**APPROVED**

*with understanding that no gain on  
sale investigation is being initiated  
at this time*

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If no protest is received to the proposed agency action issue, the docket should be closed upon the issuance of a Consummating Order.

**APPROVED**