

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 22, 2002

RE: Docket No. 000079-SU - Complaint by Sunset Ventures of Key West, Inc. against K W Resort Utilities Corp. for discontinuance of service in violation of service availability agreement in Monroe County.

ISSUE 1: Should the Complaint filed by Sunset Ventures against K W Resort Utilities be dismissed?

RECOMMENDATION: Yes. The Complaint should be dismissed without prejudice. Because the parties have not sought action by the Commission in over 23 months and have stated they have reached an agreement, and are conducting their affairs accordingly, there is no need for continued Commission involvement.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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ISSUE 2: Should this Docket be closed?

RECOMMENDATION: Yes. If the Complaint is dismissed, the docket should be closed.

**APPROVED**