

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 5, 2002

RE: Docket No. 010506-WU - Application for transfer of a portion of the water facilities operated by A. P. Utilities, Inc., holder of Certificate No. 380-W in Marion County, to Marion County Utilities.

ISSUE 1: Should APU be ordered to show cause, in writing within 21 days, why it should not be fined for serving outside its certificated territory in apparent violation of Section 367.045(2), Florida Statutes?

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

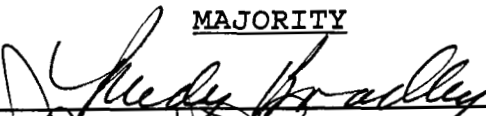
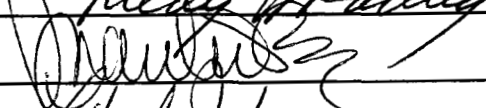
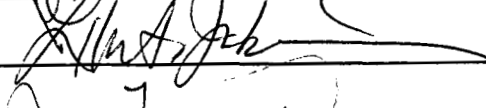
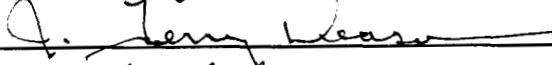
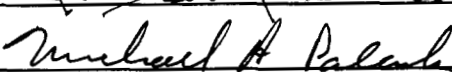
**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02554 MAR-58

FPCO COMMISSION CLERK

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MARCH 5, 2002

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(Continued from previous page)

ISSUE 2: Should the transfer of a portion of APU's water systems to the County be approved as a matter of right and should Water Certificate No. 380-W be amended to reflect the deletion of territory?

RECOMMENDATION: Yes. The transfer of a portion of APU's water systems to the County should be approved as a matter of right pursuant to Section 367.071(4)(a), Florida Statutes, and Water Certificate No. 380-W should be amended to reflect the territory deletion effective June 26, 2001, which is the closing date of the sale. A description of the territory remaining after the partial transfer is appended to staff's February 21, 2002 memorandum as Attachment A.

**APPROVED**

ISSUE 3: Should the Commission open a docket to examine whether APU's sale of its facilities involves a gain that should be shared with APU's remaining customers?

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

**APPROVED**

ISSUE 4: 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**