

VOTE SHEET

APRIL 2, 2002

RE: Docket No. 020111-SU - Request to establish new class of service in Brevard County for residential wastewater only, pursuant to Section 367.091(5), F.S., by Service Management Systems, Inc.

ISSUE 1: Should SMSI's request for a new class of service for residential wastewater be approved?

RECOMMENDATION: Yes. SMSI's request for a new class of service for residential wastewater should be approved. The utility should be allowed to continue collection of the wastewater rates currently being charged and the tariff sheets reflecting the new class of service should become effective in accordance with Rule 25-30.475, Florida Administrative Code, for service rendered as of the stamped approval date on the tariff sheets provided the customers have received notice. The utility should provide proof that the customers have received notice within 10 days of the date of the notice.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03747 APR-28

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If Issue 1 is approved, the tariff should become effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code. If a protest is filed within 21 days of the issuance date of the Order, the tariff should remain in effect with all wastewater only charges held subject to refund pending resolution of the protest, and the docket should remain open. If no timely protest is filed, this docket should be closed upon issuance of the Consummating Order.

APPROVED

with correction made prior to agenda conference and reflected in the language in this issue, that tariff will remain in effect if protest is filed, with all wastewater-only charges held subject to refund.