

VOTE SHEET

NOVEMBER 19, 2002

RE: Docket No. 021008-SU - Request for approval of two new classes of bulk wastewater rates in Monroe County by K W Resort Utilities Corp.

ISSUE 1: Should KW Resort Utilities' request for a new class of service for equivalent residential connection (ERC) based flat wastewater rates be approved?

RECOMMENDATION: Yes. KWRU's request for a new class of service for ERC-based flat wastewater rates should be approved. The utility should be allowed to continue collection of the ERC-based flat wastewater rates currently being charged and Tariff Sheet No. 15.7 should be approved as filed pursuant to Rule 25-30.475, Florida Administrative Code, for service rendered as of the stamped approval date on the tariff sheets.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Rudy Bradley

Michael ...

...

J. Terry ...

Michael A. Pallesi

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

12663 NOV 19 02

FPSC-COMMISSION CLERK

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ISSUE 2: Should KW Resort Utilities' request for a new class of service for temporary effluent treatment wastewater rates be approved?

RECOMMENDATION: Yes. KWRU's request for a new class of service for temporary effluent treatment wastewater rates should be approved. The utility should be allowed to continue collection of the temporary effluent treatment wastewater rates currently being charged and Tariff Sheet No. 15.9 should be approved as filed pursuant to Rule 25-30.475, Florida Administrative Code, for service rendered as of the stamped approval date on the tariff sheets.

APPROVED

ISSUE 3: Should KW Resort Utilities be ordered to show cause, in writing, within 21 days, why it should not be fined for collecting charges not approved by the Commission, in apparent violation of Sections 367.091(4) and 367.091(5), Florida Statutes?

RECOMMENDATION: No. KWRU should not be ordered to show cause, in writing, within 21 days, why it should not be fined for collecting charges not approved by the Commission, in apparent violation of Sections 367.091(4) and 367.091(5), Florida Statutes.

APPROVED

ISSUE 4: Should this docket be closed?

RECOMMENDATION: Yes. If Issues 1 and 2 are approved, the new tariffs 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 tariffs should remain in effect with ERC-based flat wastewater rates and temporary effluent treatment charges held subject to refund pending resolution of the protest, and the docket should remain open. If no timely protest is filed, the docket should be closed upon the issuance of a Consummating Order.

APPROVED