

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 17, 2002

RE: Docket No. 021035-SU - Disposition of delinquent regulatory assessment fees and delinquent annual reports and penalties for Weber Investment Corporation in Putnam County and Sand Dollar Properties, Inc. in Lee County.

ISSUE 1: Should Sand Dollar Properties, Inc., and Weber Investment Corporation be ordered to show cause, in writing, within 21 days, why they should not be fined for failure to file their annual reports for the years indicated in apparent violation of Rule 25-30.110(3), Florida Administrative Code?

RECOMMENDATION: No. Show cause proceedings should not be initiated. Staff further recommends that the penalties set forth in Rule 25-30.110(7), Florida Administrative Code, should not be assessed, as the information contained in the delinquent reports is no longer needed for the ongoing regulation of the utilities. In addition, both Weber and Sand Dollar should not be required to file the annual reports for the years designated.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Judy Bradley
Mark ...
John ...
J. Terry ...
Thomas A. ...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

13719 DEC 17 8

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(Continued from previous page)

ISSUE 2: Should Sand Dollar and Weber be ordered to show cause, in writing, within 21 days, why they should not remit RAFs, statutory penalties, and interest in their respective amounts for their apparent violation of Sections 350.113 and 367.145, Florida Statutes, and Rule 25-30.120, Florida Administrative Code, for failure to pay delinquent regulatory assessment fees (RAFs)?

RECOMMENDATION: No. Show cause proceedings should not be initiated. Staff further recommends that the Commission refer the utilities' unpaid RAFs and associated penalties and interest to the State Comptroller's Office, Department of Banking and Finance, for permission to write off the accounts as uncollectible, in the amounts identified in the analysis portion of staff's December 5, 2002 memorandum.

APPROVED

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. Because no further action is necessary, this docket should be closed.

APPROVED