

VOTE SHEET

MARCH 4, 2003

RE: Docket No. 030005-WS - Annual reestablishment of price increase or decrease index of major categories of operating costs incurred by water and wastewater utilities pursuant to Section 367.081(4) (a), F.S.

ISSUE 1: Should the Commission withdraw the provision in Proposed Agency Action Order No. PSC-03-0149-PAA-WS requiring that an affirmation be added to the price index application regarding the utility's active complaints, corrective orders, and outstanding citations with the Department of Environmental Protection, County Health Departments, and the Public Service Commission?

RECOMMENDATION: Yes. The affirmation requirement should be withdrawn from Proposed Agency Action Order No. PSC-03-0149-PAA-WS. According to the FWA, once the affirmation is withdrawn from the PAA order, it will withdraw its protest. Once the protest is withdrawn, the March 7, 2003 hearing should be cancelled and staff should initiate the rulemaking process. All other provisions of Proposed Agency Action Order No. PSC-03-0149-PAA-WS should remain intact and will become final since there was no protest concerning those provisions.

**MODIFIED**

*The recommendation was approved with the understanding the March 7, 2003 hearing is canceled.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Charles W. Dade*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02141 MAR-4 8

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open until the FWA withdraws its protest. Once the withdrawal is received, staff will bring it to the Commission for acknowledgment, and the docket can be closed after the acknowledgment is made.

**DENIED**

*The docket will be closed as a result of today's decision.*