

VOTE SHEET

MARCH 4, 2003

RE: Docket No. 020413-SU - Initiation of show cause proceedings against Aloha Utilities, Inc. in Pasco County for failure to charge approved service availability charges, in violation of Order No. PSC-01-0326-FOF-SU and Section 367.091, Florida Statutes.

ISSUE 1: Should the Joint Withdrawal of Protests of Adam Smith Enterprises, Inc. and Aloha Utilities, Inc. be acknowledged?

RECOMMENDATION: Yes. The Joint Withdrawal of Protests should be acknowledged, and the PAA portions of Order No. PSC-02-1250-SC-SU should be made final effective March 4, 2003. All other pending motions and requests for orders resolving discovery disputes, as identified in the analysis portion of staff's February 20, 2003 memorandum, should be deemed moot by virtue of the protest withdrawals, and therefore need not be ruled upon. Finally, the escrow account described in the staff analysis may be closed, with all monies deposited therein, including any interest earned, reverting to the utility upon the expiration of the 30-day appeal time of the Order arising from this recommendation.

APPROVED

COMMISSIONERS ASSIGNED: Deason, Bradley, Davidson

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Charles M. Davidson
James Deason
Bradley

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02150 MAR-4 8

FPSC-COMMISSION CLERK

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(Continued from previous page)

ISSUE 2: Should this docket be closed?

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

APPROVED