

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 1, 2003

RE: Docket No. 020382-WS - Application for transfer of facilities and Certificate Nos. 603-W and 519-S in Polk County from New River Ranch, L.C. d/b/a River Ranch to River Ranch Water Management, LLC. Docket No. 010812-WS - Initiation of show cause proceedings against New River Ranch L.C. d/b/a River Ranch in Polk County for violation of Rule 25-30.110(3), F.A.C., Annual Report, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

ISSUE 1: Should NRR be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of Section 367.071(1) Florida Statutes?

RECOMMENDATION: No. A show cause proceeding should not be initiated.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission
Baez (010812)

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER DATE

03006 APR-18

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ISSUE 2: Should River Ranch American be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of transferring its facilities prior to Commission approval pursuant to Section 367.071(1), Florida Statutes, failure to remit its regulatory assessment fees (RAFs) as required by Section 367.145, Florida Statutes, and Rule 25-30.120, Florida Administrative Code, and failure to file annual reports as required by Rule 25-30.110(3), Florida Administrative Code?

RECOMMENDATION: No. A show cause proceeding should not be initiated. Staff recommends that the Commission refer the utility's unpaid regulatory assessment fees (RAFs) and associated penalties and interest to the Department of Financial Services for permission to write off the accounts as uncollectible. Staff further recommends that the penalties set according to Rule 25-30.110(6), Florida Administrative Code, for outstanding annual reports should not be assessed, and that River Ranch American should not be required to file the annual reports for the years designated.

APPROVED

ISSUE 3: Should Ocwen Bank be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of transferring its facilities prior to Commission approval pursuant to Section 367.071(1), Florida Statutes, and its failure to remit regulatory assessment fees (RAFs) as required by Section 367.145, Florida Statutes, and Rule 25-30.120, Florida Administrative Code?

RECOMMENDATION: No. A show cause proceeding should not be initiated. Staff recommends that the Commission refer the utility's unpaid RAFs and associated penalties and interest to the Department of Financial Services for permission to write off the accounts as uncollectible.

APPROVED

VOTE SHEET

APRIL 1, 2003

Docket No. 020382-WS - Application for transfer of facilities and Certificate Nos. 603-W and 519-S in Polk County from New River Ranch, L.C. d/b/a River Ranch to River Ranch Water Management, LLC.

Docket No. 010812-WS - Initiation of show cause proceedings against New River Ranch L.C. d/b/a River Ranch in Polk County for violation of Rule 25-30.110(3), F.A.C., Annual Report, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

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ISSUE 4: Should the transfer of the facilities and Certificate Nos. 603-W and 519-S from New River Ranch, L.C. d/b/a River Ranch to River Ranch Water Management, L.L.C. be approved?

RECOMMENDATION: Yes. The transfer of the facilities and Certificate Nos. 603-W and 519-S from New River Ranch, L.C. d/b/a River Ranch to River Ranch Water Management, L.L.C. is in the public interest and should be approved. A description of the territory served by the utility is appended as Attachment A to staff's memorandum dated March 20, 2003.

APPROVED

ISSUE 5: Should the rates and charges approved for this utility be continued?

RECOMMENDATION: Yes. RWM should continue charging the rates and charges approved for this utility system until authorized to change by the Commission in a subsequent proceeding. The tariff reflecting the change in ownership should be effective for services provided or connections made on or after the stamped approval date on the tariff sheets.

APPROVED

ISSUE 6: Should these dockets be closed?

RECOMMENDATION: Yes. These dockets should be closed.

APPROVED