

VOTE SHEET

JUNE 3, 2003

RE: Docket No. 030423-WU - Investigation into 2002 earnings of Residential Water Systems, Inc. in Marion County.

ISSUE 1: Should the Commission initiate an earnings investigation of Residential Water Systems, Inc.?

RECOMMENDATION: Yes. The Commission should initiate an investigation of Residential Water Systems, Inc. to determine potential overearnings.

APPROVED

ISSUE 2: Should any amount of annual water revenues be held subject to refund, and, if so, what is the appropriate amount?

RECOMMENDATION: Yes. RWS should hold annual water revenues of \$19,365 subject to refund.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

REMARKS/DISSENTING COMMENTS:

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ISSUE 3: What is the appropriate security to guarantee the amount subject to refund?

RECOMMENDATION: The utility should be required to file a bond, letter of credit or escrow agreement to guarantee the amount subject to refund. The letter of credit or bond should be in the amount of \$12,910. In lieu of a letter of credit or bond, the utility should obtain an escrow agreement which requires the utility to deposit an amount monthly, as discussed below in the analysis portion of staff's May 22, 2003 memorandum, until completion of the overearnings investigation and the resolution of the other outstanding matters as discussed previously. Pursuant to Rule 25-30.360(6), Florida Administrative Code, the utility should be required to provide a report by the 20th of each month indicating the monthly and total revenue collected subject to refund. The utility should be put on notice that failure to comply with these requirements will result in the initiation of a show cause proceeding.

APPROVED

ISSUE 4: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open pending staff's investigation of the utility's earnings for 2002.

APPROVED