

VOTE SHEET

AUGUST 19, 2003

RE: Docket No. 030601-SU - Investigation of possible overearnings by North Peninsula Utilities Corporation in Volusia County.

ISSUE 1: Should the Commission initiate an earnings investigation of North Peninsula Utilities Corporation?

RECOMMENDATION: Yes. The Commission should initiate an investigation of North Peninsula Utilities Corporation to determine potential overearnings.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Charles M. Ruff

Michael J. ...

Mark ...

James ...

Heidy Bradley

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07672 AUG 19 8

VOTE SHEET

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(Continued from previous page)

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

RECOMMENDATION: Yes. North Peninsula should hold annual wastewater revenues of \$10,073 subject to refund.

APPROVED

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 \$6,768. 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 in the analysis portion of staff's memorandum dated August 7, 2003, until completion of the overearnings investigation. 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