

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 21, 2003

RE: Docket No. 030921-WS - Joint application for acknowledgment of sale of land and facilities in Osceola County to Osceola County by Florida Water Services Corporation, and for cancellation of Certificates Nos. 66-W and 289-S.

ISSUE 1: Should the transfer of Florida Water Services Corporation's Osceola County water and wastewater facilities to the Buyer be approved? RECOMMENDATION: Yes. The transfer of FWSC's Osceola County facilities to Osceola County or its duly authorized assignee, TOHO, should be approved, as a matter of right, pursuant to Section 367.071(4)(a), Florida Statutes. FWSC should provide the Commission with proof of transfer to the Buyer within 30 days of closing for purposes of establishing an effective closing date. Regulatory assessment fees should be submitted within 60 days from the closing date. Certificate Nos. 66-W and 289-S should be cancelled administratively at the conclusion of all pending dockets concerning the Osceola County facilities.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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(Continued from previous page)

ISSUE 2: Should the Commission open a docket to examine whether FWSC's sale of its Osceola County facilities to the Buyer involves a gain that should be shared with FWSC's remaining customers?

RECOMMENDATION: Yes. The Commission should open a docket to examine whether FWSC's sale of its Osceola facilities involves a gain that should be shared with FWSC's remaining customers.

**APPROVED**

ISSUE 3: Should this docket be closed?

RECOMMENDATION: This docket should remain open until the conclusion of any pending dockets concerning the Osceola County facilities, and until Certificate Nos. 66-W and 289-S are cancelled administratively.

**APPROVED**