

VOTE SHEET

NOVEMBER 3, 2003

RE: Docket No. 030931-WS - Joint application for acknowledgment of sale of land and facilities of Florida Water Services Corporation in Charlotte County to Florida Governmental Utility Authority, and for cancellation of Certificate Nos. 570-W and 496-S.

ISSUE 1: Should the transfer of a portion of Florida Water Services Corporation's Charlotte and Lee County water and wastewater facilities to FGUA be approved?

RECOMMENDATION: Yes. The transfer of the DC/BS systems to the FGUA should be approved, as a matter of right, pursuant to Section 367.071(4)(a), Florida Statutes. Certificate Nos. 306-W, 570-W, 255-S, and 496-S should be cancelled administratively at the conclusion of any pending dockets concerning the Charlotte and Lee County facilities. FWSC should provide the Commission with proof of transfer to the FGUA within 30 days of closing for purposes of establishing an effective date. Regulatory assessment fees (RAFs) should be submitted within 60 days of closing on the transfer.

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10943 NOV-38

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ISSUE 2: Should the Commission open a docket to examine whether FWSC's sale of the DC/BS systems to FGUA 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 the DC/BS systems involves a gain that should be shared with FWSC's remaining customers.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: This docket should remain open until the conclusion of any pending dockets concerning the DC/BS systems, and until Certificate Nos. 306-W, 570-W, 255-S, and 496-S are cancelled administratively.