

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 2, 2004

RE: Docket No. 030444-WS - Application for rate increase in Bay County by Bayside Utility Services, Inc.

Issue 1: Should the Commission grant Bayside's Request for Oral Argument?

Recommendation: Yes. Because oral argument may aid the Commission in comprehending and evaluating the issue of maintaining or relinquishing jurisdiction, staff recommends that oral argument be granted. Combined oral presentations on the Office of Public Counsel's Motion for Commission to Relinquish Jurisdiction should be limited to fifteen minutes per side.

APPROVED

COMMISSIONERS ASSIGNED: Deason, Jaber, Davidson

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Charles W. Deason
Michael Jaber
J. Terry Davidson

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11800 NOV-2 04

FPSC-COMMISSION CLERK

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Issue 2: Should OPC's Motion for the Commission to Relinquish Jurisdiction to the County be granted?

Recommendation: No. The Commission should maintain jurisdiction and proceed with the formal hearing to set final rates and dispose of the interim rates collected by Bayside.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. If the Commission approves staff's recommendation to deny the Office of Public Counsel's Motion, and maintain jurisdiction, the docket should remain open to allow the Commission to conduct an evidentiary hearing, and subsequently enter a final order setting rates and disposing of the interim rates collected by Bayside.

APPROVED