

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 1, 2005

RE: Docket No. 030998-WS - Joint application for approval of transfer of majority organizational control of Chateau Communities, Inc., grandparent of Del Tura Phase I, LLC d/b/a Del Tura Utilities, holder of Certificate No. 298-S in Lee County; CWS Communities LP d/b/a Palm Valley Utilities, holder of Certificate Nos. 277-W and 223-S in Seminole County; and CWS Communities LP, holder of Certificate No. 518-W in Lake County, to Hometown America, L.L.C.

Issue 1: Should the application for transfer of majority organizational control be approved?

Recommendation: Yes. The application for transfer of majority organizational control of Palm Valley, CWS and Del Tura as a result of the merger of Chateau Communities, Inc. with Hometown America, LLC, is in the public interest and should be approved as of October 16, 2003. Palm Valley, CWS, and Del Tura should remain responsible for all regulatory assessment fees and annual reports for 2004 and the future. Descriptions of the territory being transferred are appended to staff's January 20, 2005 memorandum as Attachments A, B and C.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*L. Edg*  
*M. Kelly*  
*M. ...*  
*J. ...*  
*Chad M. ...*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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(Continued from previous page)

Issue 2: What is the rate base of Palm Valley, CWS, and Del Tura at the time of transfer?

Recommendation: The rate base, which for transfer purposes reflects the net book value at the time of transfer, is \$820,485 and \$1,422,831 for the Palm Valley water and wastewater systems, respectively. Rate base for transfer purposes should not be established for CWS or Del Tura at this time. Within 60 days of the date of the proposed agency action order, Hometown should provide a statement indicating that Palm Valley's books have been adjusted to reflect the Commission approved rate base balances as of October 16, 2003.

**APPROVED**

Issue 3: Should the rates and charges approved for Palm Valley, CWS, and Del Tura be continued?

Recommendation: Yes. The buyer should continue charging the rates and charges approved for Palm Valley, CWS, and Del Tura until authorized to change by the Commission in subsequent proceedings. The utilities should be reminded that all customers must be billed for service. The ownership changes did not affect the tariff issuing officers; therefore, revised tariff pages are not required.

**APPROVED**

Issue 4: Should this docket be closed?

Recommendation: No. If no timely protest by a substantially affected person is received to the proposed agency action issue, a Consummating Order should be issued upon the expiration of the protest period. The docket should remain open until Hometown files a statement that the UPIS and depreciation balances provided in staff's recommendation have been booked for Palm Valley, then the docket should be administratively closed.

**APPROVED**