

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 1, 2005

RE: Docket No. 040159-WU - Application for transfer of portion of Certificate No. 582-W by Keen Sales, Rentals and Utilities, Inc. to Sunrise Utilities, LLC, in Polk County.

Issue 1: Should the transfer of the Sunrise water system from Keen to Sunrise Utilities, LLC, the amendment of Certificate No. 582-W, and issuance of Certificate No. 627-W be approved?

Recommendation: Yes. The transfer of the Sunrise water system from Keen to Sunrise Utilities, LLC, is in the public interest and should be approved. Certificate No. 582-W should be amended to delete the Sunrise system from the Keen service area, and Certificate No. 627-W should be issued effective the date of the Commission vote. The buyer should be required to provide a statement and supporting documentation within 30 days of the order approving the transfer that it has established its books and records in compliance with the NARUC USOA, including the ability to provide separate general ledgers for the Sunrise and Alturas systems, and that its books have been adjusted to reflect the Commission-approved rate base balances as of the date of the transfer. Keen should be responsible for the regulatory assessment fees (RAFs) for January 1 to February 10, 2004, and Sunrise Utilities, LLC should be responsible for the remainder of the 2004 and future RAFs and the 2004 and future annual reports. The territory being transferred is described in Attachment A of staff's February 17, 2005 memorandum.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Luigi Eddy
Mark Bradley
Mentus
Jerry
Mark M. Dook

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02102 MAR-1 05

FPSC-COMMISSION CLERK

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Issue 2: What is the rate base of the Sunrise system at the time of transfer?

Recommendation: The rate base, which for transfer purposes reflects the net book value at the time of transfer, is \$52,609 for the Sunrise system as of February 10, 2004.

APPROVED

Issue 3: Should an acquisition adjustment be approved?

Recommendation: No. An acquisition adjustment should not be included in the calculation of rate base for transfer purposes.

APPROVED

Issue 4: Should the rates and charges approved for this utility be continued?

Recommendation: Yes. The rates and charges approved for the Sunrise system should be continued until authorized to change by the Commission in a subsequent proceeding. Within 30 days of the date of the order approving the transfer, Sunrise Utilities, LLC should submit the tariff page reflecting a copy of the customer bill in the name of Sunrise. The tariff pages reflecting the transfer should be effective for services provided or connections made on or after the stamped approval date on the tariff sheets.

APPROVED

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Issue 5: Should this docket be closed?

Recommendation: No. If no timely protest is received to the proposed agency action issues, the Order will become final upon the issuance of a Consummating Order. However, the docket should remain open pending receipt of a statement and supporting documentation within 30 days of the order approving the transfer that it has established its books and records in compliance with the NARUC USOA, including the ability to provide separate general ledgers for the Sunrise and Alturas systems, and that its books have been adjusted to reflect the Commission-approved rate base balances as of the date of the transfer and pending receipt of the customer bill tariff page. Upon receipt of the statement and the customer bill tariff page, the docket should be administratively closed.

APPROVED