FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 5, 2005

RE: Docket No. 040173-WU - Application for transfer of majority organizational control of L W V Utilities, Inc., holder of Certificate No. 152-W in Pasco County, from James A. Cochran to James C. Weeks and Ricky A. Miller.

Issue 1: Should the Commission approve the transfer of majority organizational control of LWV Utilities, Inc. from the James A. Cochran Revocable Trust to James C. Weeks and Ricky A. Miller?
Recommendation: Yes. The transfer of majority organizational control is in the public interest and should be approved. A description of the territory granted by Certificate No. 152-W is appended to staff's March 24, 2005 memorandum as Attachment A. The utility should be required to file a revised legal description, territory map and supporting documentation verifying that the revised legal description is consistent with the territory description in Docket No. 760618-W within 120 days of the order approving the transfer.
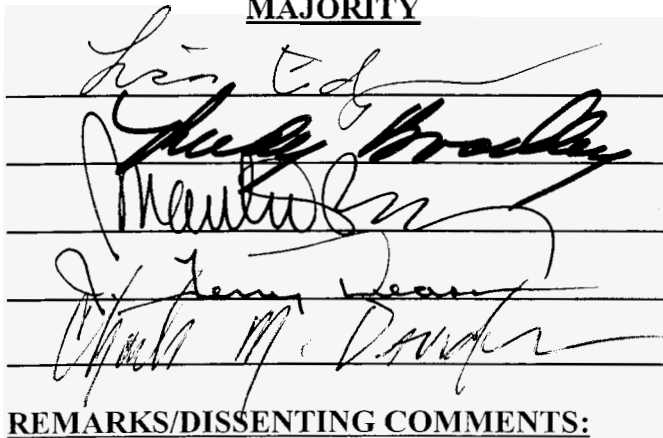
APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY	DISSENTING

REMARKS/DISSENTING COMMENTS:

PSC/CCA033-C (Rev 12/01)

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Issue 5: Should the docket be closed?
Recommendation: No. If no timely protest is received to the proposed agency action issue, the Order will become final upon the issuance of a Consummating Order. However, the docket should remain open pending receipt of the revised legal description, territory map, and statement that the utility has established its books and records in compliance with the NARUC USOA and that its books have been adjusted to reflect the Commission-approved rate base balances as of the date of the transfer. Upon receipt of the statement, the docket should be administratively closed.

APPROVED