

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 5, 2005

RE: Docket No. 041394-WS - Joint application for transfer of CWS Communities LP d/b/a Crystal Lake Club, holder of Certificate Nos. 525-W and 454-S in Highlands County, to Mink Associates II, LLC d/b/a Crystal Lake Club Utilities.

Issue 1: Should the transfer of facilities and Certificate Nos. 525-W and 454-S from CWS Communities LP d/b/a Crystal Lake Club to Mink Associates II, LLC d/b/a Crystal Lake Club Utilities be approved?

Recommendation: Yes. The transfer of facilities and Certificate Nos. 525-W and 454-S from CWS Communities LP d/b/a Crystal Lake Club to Mink Associates II, LLC d/b/a Crystal Lake Club Utilities is in the public interest and should be approved effective the date of the Commission's vote. Mink should file a recorded copy of the 99-year lease for the land for the water and wastewater facilities within 30 days of the issuance date of the Order approving the transfer. The buyer should be required to provide a statement within 30 days of the order approving the transfer that it has established its books and records in compliance with the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA). Mink should be responsible for the annual reports and regulatory assessment fees (RAFs) for 2004 and the future. The territory being transferred is described in Attachment A of staff's March 24, 2005 memorandum.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should the rates and charges approved for this utility be continued?

Recommendation: Yes. The rates and charges approved for Crystal Lake should be continued until authorized to change by the Commission in a subsequent proceeding. 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**

Issue 3: Should this docket be closed?

Recommendation: No. The docket should remain open pending receipt of the recorded 99-year lease and a statement that it has established its books and records in compliance with the NARUC USOA, including separate general ledgers for the Mink water and wastewater systems. Upon receipt of the recorded lease and the statement, the docket should be administratively closed.

**APPROVED**