

VOTE SHEET

April 4, 2006

**Docket No. 050018-WU** – Initiation of deletion proceedings against Aloha Utilities, Inc. for failure to provide sufficient water service consistent with the reasonable and proper operation of the utility system in the public interest, in violation of Section 367.111(2), Florida Statutes.

**Docket No. 050183-WU** – Request by homeowners for the Commission to initiate deletion proceedings against Aloha Utilities, Inc. for failure to provide sufficient water service consistent with the reasonable and proper operation of the utility system in the public interest, in violation of Section 367.111(2), Florida Statutes.

**Docket No. 010503-WU** – Application for increase in water rates for Seven Springs System in Pasco County by Aloha Utilities, Inc.

**Issue 1:** Should the Commission issue a final order approving the Settlement?

**Recommendation:** Yes. The Commission should issue a final order approving the Settlement in its entirety and without change. The Settlement offers a number of monetary benefits to Aloha’s customers that could not otherwise be obtained or assured, it redirects the Parties’ resources away from protracted litigation toward implementing an agreed solution to the underlying water quality problem, and it provides a much needed fresh start for Aloha, its customers, and the Commission.

**APPROVED**

*With an oral modification at the conference, to change 6 months to 4 months at "Design" under "Construction Schedule" on page 5 of Staff's recommendation.*

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Katrina J. Jew*  
*J. R. [Signature]*  
*Lisa [Signature]*  
*[Signature]*  
*[Signature]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER - DATE

03028 APR -4 06

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**Issue 2:** Should Mr. Edward O. Wood's request for reconsideration of Order No. PSC-06-0015-FOF-WU be granted?

**Recommendation:** If the Commission approves the Settlement in Issue 1, Mr. Wood's motion for reconsideration is moot and no ruling is required. If the Commission does not approve the Settlement, Mr. Wood's request should be denied because it does not raise an issue of fact or law that the Commission overlooked or failed to consider.

# MOOT

**Issue 3:** Should the dockets affected by the Offer of Settlement be closed?

**Recommendation:** If the Settlement is approved, Docket No. 050018-WU (Show Cause Docket), and Docket No. 050183-WU (Investigation Docket) should be closed after the Order Approving Settlement has become final and non-appealable. Docket No. 010503-WU, in which interim rate monies are being held in escrow, should remain open until those monies are released to Aloha, and recorded as CIAC, at which time the docket should be closed.

If the Settlement is not approved, these dockets should remain open.

# APPROVED