

VOTE SHEET

June 20, 2006

Docket No. 040889-WU – Application for grandfather certificate to operate water utility in Okeechobee County by Donald E. McBrayer and Marty Stevens d/b/a Blue Heron Golf & Country Club.

Issue 1: Should Donald E. McBrayer and Marty Stevens d/b/a Blue Heron Golf & Country Club’s application for a grandfather water certificate be approved?

Recommendation: Yes. The application should be approved and the utility should be issued Certificate No. 629-W, effective May 13, 2004, to serve the territory described in Attachment A of staff’s June 8, 2006 memorandum. Within 30 days from the date of the final order in this docket, the utility should be required to file a statement that it has established books and records in compliance with the NARUC USOA, including the ability to provide separate general ledgers for utility and non-utility records.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina A. Jew

J. T. [Signature]

J. [Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05350 JUN 20 06

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Issue 2: What are the appropriate service rates and charges for Donald E. McBrayer and Marty Stevens d/b/a Blue Heron Golf & Country Club?

Recommendation: The utility's existing monthly rates for water service and its meter installation charge are reasonable and should be continued. The utility should be required to charge these rates and charges until authorized to change them by this Commission in a subsequent proceeding. Pursuant to Rule 25-30.475(1), Florida Administrative Code, the effective date of the tariffs should be the stamped approval date. Within 30 days from the issuance of the final order in this docket, the utility should be required to install a water meter at the clubhouse and begin billing for usage at its existing rates. Within 15 days after the meter installation, the utility should be required to file verification of the installation. When service is reinstated to the pool, the utility should be required to install a water meter at the pool and bill for usage at its existing rates. The utility should be put on notice that, if the golf course requests potable water service from the utility, it must install a potable water meter at the golf course and begin billing for usage at its existing rates. In addition, if the golf course requests irrigation water from the utility, the utility must file for a new class of service for irrigation water pursuant to Section 367.091(5) and (6), Florida Statutes.

APPROVED

Issue 3: What are the appropriate service availability policy and charges for Donald E. McBrayer and Marty Stevens d/b/a Blue Heron Golf & Country Club?

Recommendation: The service availability policy and plant capacity charge discussed in staff's analysis in the June 8, 2006 memorandum should be approved. The utility should be required to charge its approved plant capacity charge until authorized to change it by the Commission in a subsequent proceeding. Within 10 days from the issuance of the final order in this docket, the utility should be required to provide notice to all customers of its approved plant capacity charge. Within 10 days after the notice is given, the utility should be required to file a copy of the notice along with a statement attesting to the date the notice was given. Within 30 days from the issuance of the final order in this docket, the utility should be required to provide a revised tariff reflecting its approved service availability policy and plant capacity charge. Pursuant to Rule 25-30.475(1), Florida Administrative Code, the effective date of the tariffs should be the stamped approval date.

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Issue 4: What are the appropriate miscellaneous service charges for Donald E. McBrayer and Marty Stevens d/b/a Blue Heron Golf & Country Club?

Recommendation: The utility's proposed miscellaneous service and late payment charges are reasonable and should be approved. These charges should be included in the customer notice described in Issue 3. The utility should be required to charge its approved miscellaneous service and late payment charges until authorized to change them by the Commission in a subsequent proceeding. Pursuant to Rule 25-30.475(1), Florida Administrative Code, the effective date of the tariff should be the stamped approval date.

APPROVED

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 from the utility that it has established books and records in compliance with the NARUC USOA; verification that notice has been given to customers of the utility's approved plant capacity and miscellaneous service charges; verification of the installation of a water meter at the clubhouse; and receipt a revised tariff reflecting the utility's approved service availability policy and plant capacity charge. Upon receipt and verification of these matters, the docket should be administratively closed.

APPROVED