

VOTE SHEET

October 3, 2006

Docket No. 030458-WU – Application for transfer of majority organizational control of Holiday Utility Company, Inc. in Pasco County to Holiday Waterworks Corporation, and amendment of Certificate No. 224-W.

**Issue 1:** Should the Commission grant Pasco County's Motion to Dismiss Holiday Utility's Amendment Application?

**Recommendation:** Holiday's application for amendment should be dismissed without prejudice, with leave for Holiday to refile its application pursuant to Chapter 367, Florida Statutes, and the Commission's rules.

**WITHDRAWN**

COMMISSIONERS ASSIGNED: Arriaga, Carter, Tew

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09133 OCT-3 06

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**Issue 2:** Should the Commission require Holiday to file an amendment application to include an area currently being served outside of its existing certificated territory?

**Recommendation:** Yes. Holiday should be required to file in a separate docket, within thirty days of the date of the Commission vote, an amendment application pursuant to Rule 25-30.036, Florida Administrative Code, for the uncertificated territory it is currently serving. The current docket should remain open until the amendment application has been filed and a new docket established.

**Issue 3:** Should this docket be closed?

**Recommendation:** No. This docket should remain open until the amendment application referred to in Issue 2 has been filed and a new docket established. After the amendment application has been filed, this docket may be closed administratively.