

VOTE SHEET

February 13, 2007

Docket No. 060754-WS – Request for waiver of 2005 annual report penalty for Ferncrest Utilities, Inc.

**Issue 1:** Should the Commission impose penalties on Ferncrest Utilities, Inc. for its failure to timely file its 2005 Annual Report?

**Recommendation:** No. Because the utility has demonstrated good cause for noncompliance, the penalty set out in Rule 25-30.110(7), F.A.C., should not be assessed.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Katrina J. McMurrin*  
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*Jim Edg*  
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*[Signature]*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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**Issue 2:** Should this docket be closed?

**Recommendation:** Yes. If no protest to this proposed agency action is filed by a person whose interests are substantially affected within 21 days of the Order arising from this recommendation, the docket should be closed upon the issuance of a Consummating Order. If a timely protest to the proposed agency action is filed by a person whose substantial interests are affected within 21 days of the Commission Order, the docket should remain open pending the resolution of the protest.

**APPROVED**