

VOTE SHEET

April 8, 2008

Docket No. 070109-WS – Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include certain land in Charlotte County by Sun River Utilities, Inc. (f/k/a MSM Utilities, LLC).

Issue 1: Is there a need for service in the proposed territory, and, if so, when will service be required?

Recommendation: Yes. The utility has adequately demonstrated a need for service as required by Section 367.045(2)(b), F.S., for the requested territory. It appears that service may be needed within the next five years.

APPROVED

Issue 2: Does the applicant have the financial ability to serve the proposed territory?

Recommendation: Consistent with the stipulation approved by the Commission, the utility has the financial ability to serve the proposed territory.

APPROVED

COMMISSIONERS ASSIGNED: McMurrian, Argenziano, Skop

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of Katrina J. McMurrian and another commissioner under the MAJORITY column.

Blank lines under the DISSENTING column.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02733 APR-9 8

Vote Sheet

April 8, 2008

Docket No. 070109-WS – Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include certain land in Charlotte County by Sun River Utilities, Inc. (f/k/a MSM Utilities, LLC).

(Continued from previous page)

Issue 3: Does the applicant have the technical ability to serve the proposed territory?

Recommendation: Consistent with the stipulation approved by the Commission, the utility has the technical ability to serve the proposed territory.

APPROVED

Issue 4: Does the applicant have sufficient plant capacity to serve the requested territory?

Recommendation: Consistent with the stipulation approved by the Commission, the utility has sufficient plant capacity to serve the requested territory, or will construct the plant when it is needed.

APPROVED

Issue 5: Is the proposed amendment inconsistent with the Charlotte County Comprehensive Plan?

Recommendation: The proposed amendment is not inconsistent with the Charlotte County Comprehensive Plan. However, if the Commission should determine that it is inconsistent, pursuant to Section 367.045(5)(b), F.S., any such inconsistency would not rise to the level that would cause the Commission to deny the utility's application.

APPROVED

Issue 6: Will the proposed amendment to the applicant's territory duplicate or compete with any other system?

Recommendation: There is no duplication or competition with any water or wastewater system in proximity to the requested amendment territory.

APPROVED

Vote Sheet

April 8, 2008

Docket No. 070109-WS – Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include certain land in Charlotte County by Sun River Utilities, Inc. (f/k/a MSM Utilities, LLC).

(Continued from previous page)

Issue 7: If the proposed amendment would result in an extension of a system which would be in competition with, or a duplication of another system, is that other system inadequate to meet the reasonable needs of the public or is the owner of the system unable, unwilling, or neglecting to provide reasonably adequate service to the proposed territory?

Recommendation: As explained in Issue 6, there is no competition or duplication.

APPROVED

Issue 8: Is it in the public interest for the applicant to be granted an amendment to Certificates Nos. 611-W and 527-S for the territory proposed in its application?

Recommendation: Yes. When considered as a whole, the application is in the public interest, and Certificates Nos. 611-W and 527-S should be amended to include that territory described in Attachment A of staff's memorandum dated March 27, 2008. The resultant order should serve as Sun River's amended certificate and should be retained by the utility. Sun River should charge the customers in the territory added herein the rates and charges contained in its tariffs until authorized to change by this Commission in a subsequent proceeding.

APPROVED

Issue 9: Should this docket be closed?

Recommendation: Upon expiration of the appeal period, if no party timely appeals the order, this docket should be closed administratively.

APPROVED