

VOTE SHEET

April 7, 2009

Docket No. 080183-WU – Joint application for approval of transfer of Tamiami Village Water Company, Inc.'s water system and Certificate No. 388-W in Lee County to Ni Florida, LLC.

**Issue 1:** What is water rate base for the transfer of Tamiami Village Water Company, Inc.?

**Recommendation:** The appropriate rate base for transfer purposes for Tamiami's water system is \$66,842 as of December 31, 2007. Within 60 days of the date of the final order, Ni Florida should be required to provide a statement that the Utility's books have been updated to reflect the Commission-approved rate base adjustments and balances. In addition, the Commission approved rate base adjustments should be reflected in the Utility's 2009 annual report.

**APPROVED**

**Issue 2:** Should an acquisition adjustment be approved?

**Recommendation:** No. An acquisition adjustment should not be included in the calculation of rate base for transfer purposes.

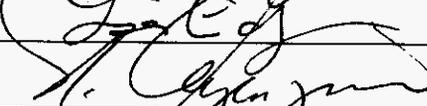
**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

  
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 Katrina J. McMurrian  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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

**Recommendation:** No. If no protest to the proposed agency action issues is filed by a substantially affected person within 21 days of the date of the order, a consummating order should be issued. However, the docket should remain open pending receipt of the confirmation statement that the Utility's books have been adjusted to reflect the Commission-approved rate base adjustments and verification of an updated territory map. Upon receipt of the statement and updated territory map, the docket should be administratively closed.

**APPROVED**