

VOTE SHEET

September 28, 2010

Docket No. 100318-WS – Petition for order to show cause against Service Management Systems, Inc. in Brevard County for failure to properly operate and manage water and wastewater system.

Issue 1: Should the Commission grant FL-Service Management, LLC’s (the LLC) Motion to Dismiss Aquarina Utility Association, Inc.’s (the Association) Petition for Order to Show Cause Against Service Management Systems, Inc. in Brevard County for Failure to Properly Operate and Manage Water and Wastewater System?

Recommendation: Yes. Staff recommends that the Commission grant the LLC’s Motion to Dismiss the Association’s Petition without prejudice. The Petition fails to state a cause of action upon which the Commission can grant relief.

APPROVED without prejudice. Staff directed to get with Mr. Armstrong and Mr. May to further discuss the issues and bring back to the Commission if necessary.

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff’s recommendation, the docket should be closed after time for an appeal has run. If the Commission denies staff’s recommendation, the docket should remain open.

APPROVED without prejudice.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including one that appears to be 'Noa' and another that is more complex.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK