

VOTE SHEET

February 22, 2011

**Docket No. 100400-WU** – Investigation of rates of O&S Water Company, Inc. in Osceola County for possible overearnings.

**Docket No. 100440-WU** – Application for transfer of water facilities in Osceola County from O&S Water Company, Inc., to Tohopekaliga Water Authority and cancellation of Certificate No. 510-W.

**Issue 1:** Should the Commission acknowledge the transfer of O&S' water facilities and territory to TWA as a matter of right and cancel Certificate No. 510-W?

**Recommendation:** Yes. The Commission should acknowledge the transfer of O&S' water facilities and territory as a matter of right, pursuant to Section 367.071(4)(a), F.S., and cancel Certificate No. 510-W effective December 8, 2010.

**DEFERRED**

**COMMISSIONERS ASSIGNED:** All Commissioners

**COMMISSIONERS' SIGNATURES**

**MAJORITY**

**DISSENTING**

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**REMARKS/DISSENTING COMMENTS:**

DOCUMENT NUMBER-DATE

01183 FEB 22 =

FPSC-COMMISSION CLERK

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Docket No. 100400-WU – Investigation of rates of O&S Water Company, Inc. in Osceola County for possible overearnings.

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**Issue 2:** Should the Commission initiate an overearnings investigation of O&S, as ordered in Order No. PSC-10-0656-FOF-WU in Docket No. 100400-WU?

**Recommendation:** No. If the Commission acknowledges the transfer of O&S to TWA and cancels Certificate No. 510-W, the Commission should close the overearnings investigation of O&S as initiated by Order No. PSC-10-0656-FOF-WU, and any funds held subject to refund should be released to the Utility.

**DEFERRED**

**Issue 3:** Should Docket Nos. 100400-WU and 100440-WU be closed?

**Recommendation:** Yes. If the Commission approves staff's recommendations in Issues 1 and 2, Docket Nos. 100400-WU and 100440-WU should be closed, as no further action is required.

**DEFERRED**