

VOTE SHEET

October 2, 2012

Docket No. 110317-WS – Application for transfer of majority organizational control of Tymber Creek Utilities, Incorporated, holder of Certificate Nos. 303-W and 252-S in Volusia County, from Joseph Stanley and Steve P. Shirah to Joseph Stanley Shirah. **Docket No. 120191-WS** – Application for amendment of Certificate Nos. 303-W and 252-S to add territory in Volusia County by Tymber Creek Utilities, Incorporated.

Issue 1: Should Tymber Creek Utilities, Incorporated be required to show cause, in writing, within 21 days why it should not be fined for its apparent violation of Section 367.045, Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated.

APPROVED

COMMISSIONERS

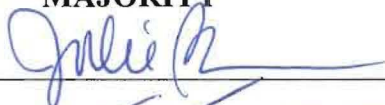
All Commissioners


ASSIGNED:


COMMISSIONERS' SIGNATURES

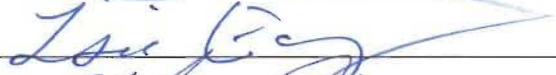
MAJORITY

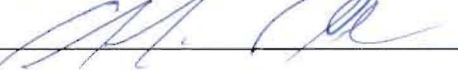
DISSENTING











REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

06637 OCT-2 2012

FPSC-COMMISSION CLERK

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Issue 2: Should the Commission approve the application by Tymber Creek Utilities, Incorporated to amend Certificate Nos. 303-W and 252-S?

Recommendation: Yes. The Commission should approve Tymber Creek's application for amendment of Certificate Nos. 303-W and 252-S to include territory as reflected in Attachment A of staff's memorandum dated September 20, 2012, effective the date of the Commission vote. The resultant order should serve as Tymber Creek's amended certificates and should be retained by the utility. The Utility should charge the customers in the territory added herein the rates and charges contained in its current tariff until a change is authorized by the Commission in a subsequent proceeding.

APPROVED

Issue 3: Should the transfer of majority organizational control be approved?

Recommendation: Yes, the transfer of majority organizational control of Tymber Creek Utilities, Incorporated from Joseph Stanley Shirah and Steve P. Shirah to Joseph Stanley Shirah is in the public interest and should be approved effective the date of the Commission vote. The resultant order should serve as the Utility's Certificate Nos. 303-W and 252-S and should be retained by the Utility. The Utility's existing rates and charges should remain in effect until a change is authorized by the Commission in a subsequent proceeding and the Utility should continue to be responsible for filing annual reports and remitting RAFs.

APPROVED

+these docket *corrected*
(ac-10/24/12)

Issue 4: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendations in Issues 1, 2, and 3, no further action will be necessary and this docket should be closed.

+these docket

APPROVED