

VOTE SHEET

NOVEMBER 4, 1997

RE: DOCKET NO. 970645-WS - Investigation of possible overearnings by J. Swiderski Utilities, Inc. (Kings Cove) in Lake County.

Issue 1: Did J. Swiderski Utilities, Inc.'s Kings Cove Systems earn in excess of its last authorized rate of return on equity (ROE) for 1996?

Recommendation: No. J. Swiderski Utilities, Inc., Kings Cove Systems, earned an overall 11.68% ROE for the year 1996, which is within the utility's last authorized range of reasonableness on rate of return on equity.

**APPROVED**

Issue 2: What is the appropriate disposition of the irrevocable letter of credit in the amount of \$9,762, submitted by United Southern Bank on behalf of J. Swiderski Utilities, Inc.?

Recommendation: The irrevocable letter of credit in the amount of \$9,762 provided by United Southern Bank on behalf of J. Swiderski Utilities, Inc. should be canceled.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11449 NOV-56

FPSC-RECORDS/REPORTING

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NOVEMBER 4, 1997

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Issue 3: Should this docket be closed?

Recommendation: Yes, this docket should be closed if no person whose interests are substantially affected by the proposed action files a protest within the 21-day protest period.

**APPROVED**