

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 16, 1999

RE: DOCKET NO. 971179-SU - Disposition of CIAC gross-up funds collected by North Fort Myers Utility, Inc. in Lee County.

Issue 1: What action should the Commission take in regard to the utility's Response to Show Cause as to why it should not be fined \$15,000 for having improperly implemented three price indexes in apparent violation of Section 367.081(4)(c), Florida Statutes?

Recommendation: The utility should not be fined for its apparent violation of Section 367.081(4)(c), Florida Statutes, and the show cause proceeding should be terminated. However, the Commission should strongly admonish the utility to provide the most accurate information possible in future annual reports and price-index rate increase applications.

**DENIED**

*This issue will be addressed at the hearing.*

*Commissioner Jacobs dissented*

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Ashley Clark*  
*J. Terry Wease*

*[Signature]*

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should the docket be closed?

Recommendation: No. This docket should remain open to conduct the formal hearing on the protested proposed agency action portion of Order No. PSC-99-1068-PAA-SU.

**APPROVED**