

VOTE SHEET

September 11, 2007

Docket No. 030106-SU – Application for staff-assisted rate case in Lee County by Environmental Protection Systems of Pine Island, Inc.

Issue 1: Should the Commission approve the Environmental Protection Systems of Pine Island, Inc.’s Revised Settlement Proposal?

Recommendation: Yes. The Revised Proposal filed by Environmental Protection Systems of Pine Island, Inc. should be approved. The utility should be required to refund the percentage reductions set forth in the Settlement Proposal. The refunds should be made within 90 days of the effective date of the Consummating Order finalizing the Order for refunds and include interest as required by Rule 25-30.360(4), Florida Administrative Code (F.A.C.). The utility should be required to submit the proper refund reports, pursuant to Rule 25-30.260(7), F.A.C. The refund should be made to customers of record as of the date of the Consummating Order, pursuant to Rule 25-30.360(3), F.A.C. The utility should treat any unclaimed refunds as CIAC, pursuant to Rule 25-30.360(8), F.A.C. In no instance should the maintenance and administrative costs associated with a refund be borne by the customers. These costs are the responsibility of, and should be borne by the utility.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on lines.

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08228 SEP 11 5

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**Issue 2:** Should this docket be closed?

**Recommendation:** No. If the Commission approves staff's recommendation in Issue 1, this docket should remain open for staff's verification that the appropriate refund has been completed. Once these actions are complete, this docket should be closed administratively.

**APPROVED**