

VOTE SHEET

October 12, 2010

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

Issue 1: Should the Commission initiate an investigation of O&S Water Company, Inc. for possible overearnings?

Recommendation: Yes. The Commission should initiate an investigation of O&S Water Company, Inc. for possible overearnings.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the majority column]*

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REMARKS/DISSENTING COMMENTS:

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**Issue 2:** Should any amount of annual water revenues be held subject to refund?

**Recommendation:** Yes. O&S should hold the following amount subject to refund.

	<u>Adjusted Test Year Revenues</u>	<u>\$ Decrease</u>	<u>Subject to Refund</u>
Water	\$1,205,487	(\$76,352)	6.33%

## APPROVED

**Issue 3:** What is the appropriate security to guarantee the amount subject to refund?

**Recommendation:** The Utility should be required to open an escrow account or file a surety bond or letter of credit to guarantee any potential refund of revenues collected under interim conditions. If the security provided is an escrow account, the Utility should deposit \$6,363 into the escrow account each month. Otherwise, the surety bond or letter of credit should be in the amount of \$50,961. Further, an accurate and detailed account of all monies received should be kept by the Utility. By no later than the twentieth (20th) day of each month, the Utility shall file a report showing the amount of revenues collected each month subject to refund. Should a refund be required, the refund should be with interest and undertaken in accordance with Rule 25-30.360, F.A.C. In no instance shall maintenance and administrative costs associated with any refund be borne by the customers. These costs are the responsibility of, and should be borne by, the Utility.

## APPROVED

**Issue 4:** Should this docket be closed?

**Recommendation:** No, this docket should remain open pending staff's investigation of the Utility's earnings for 2009.

## APPROVED