

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of:

DOCKET NO. 090424-WS

APPLICATION FOR CERTIFICATES TO
PROVIDE WATER AND WASTEWATER
SERVICE IN POLK COUNTY BY BIMINI
BAY UTILITIES CORPORATION.

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 13

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER RONALD A. BRISÉ
COMMISSIONER EDUARDO E. BALBIS
COMMISSIONER JULIE I. BROWN

DATE: Tuesday, October 18, 2011

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR
Official FPSC Reporter
(850) 413-6732

DOCUMENT NUMBER-DATE

07812 OCT 25 =

FLORIDA PUBLIC SERVICE COMMISSION

FPSC-COMMISSION CLERK

P R O C E E D I N G S

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2 **CHAIRMAN GRAHAM:** Item Number 13.

3 **MS. GOLDEN:** Commissioners, Item 13 is an
4 application for water and wastewater certificates by
5 Bimini Bay Utilities Corporation. Staff is
6 recommending that the certificate should be denied.

7 At this time we can discuss the
8 recommendation or answer questions. I'm not sure if
9 Mr. Wright may have additional comments on this issue
10 or not.

11 **CHAIRMAN GRAHAM:** Mr. Wright.

12 **MR. WRIGHT:** Thank you, Mr. Chairman and
13 Commissioners. I don't really have any additional
14 comments.

15 You know, again, I'm committed to working as
16 hard as I can to get this right. If you wanted to
17 defer it, it would be great; and if you want to issue
18 the order as a PAA, we'll follow your procedures.

19 **CHAIRMAN GRAHAM:** Staff, what should be
20 cleaner if we deferred it or if we passed the PAA and
21 then they had to come back and go to trial -- go to
22 hearing?

23 **MS. BENNETT:** In my opinion it would be
24 cleaner to just go ahead and approve staff's
25 recommendation. If they choose to protest, they can,

1 or they can apply for the certificate once they've
2 addressed all of the issues that they have.

3 **CHAIRMAN GRAHAM:** Sounds fair.

4 Commissioner Edgar.

5 **COMMISSIONER EDGAR:** Thank you, Mr.

6 Chairman.

7 I was basically going to say what Ms. Bennett
8 just said, which is that from my perspective to move
9 forward on the staff recommendation today, recognizing
10 that the utility and, of course, their counsel and
11 other representatives would have the option to reapply
12 in the future when they are ready to do so without
13 prejudice.

14 So, Mr. Chairman, I would move the staff
15 recommendation on all issues for Item 13.

16 **CHAIRMAN GRAHAM:** It has been moved and
17 seconded, staff recommendation on Item 13. Any
18 further discussion?

19 Seeing none. All in favor say aye.

20 (Unanimous affirmative vote.)

21 **CHAIRMAN GRAHAM:** Any opposed?

22 By your action, you've approved staff
23 recommendation on Item Number 13.

24 Thank you very much.

25 **MR. WRIGHT:** Thank you, Mr. Chairman, and

1 thank you Commissioners.

2 **CHAIRMAN GRAHAM:** Thank you, Mr. Wright, and
3 good luck.

4 **MR. WRIGHT:** Thank you for that, also.

5 **CHAIRMAN GRAHAM:** That all being said, if
6 there is nothing else to come before us, we have IA
7 tomorrow, so we are currently adjourned.

8 Thank you very much, staff.

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2 STATE OF FLORIDA)

3 : CERTIFICATE OF REPORTER

4 COUNTY OF LEON)

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6 I, JANE FAUROT, RPR, Chief, Hearing Reporter
7 Services Section, FPSC Division of Commission Clerk, do
8 hereby certify that the foregoing proceeding was heard
9 at the time and place herein stated.

10 IT IS FURTHER CERTIFIED that I
11 stenographically reported the said proceedings; that
12 the same has been transcribed under my direct
13 supervision; and that this transcript constitutes a
14 true transcription of my notes of said proceedings.

15 I FURTHER CERTIFY that I am not a relative,
16 employee, attorney or counsel of any of the parties,
17 nor am I a relative or employee of any of the parties'
18 attorney or counsel connected with the action, nor am I
19 financially interested in the action.

20 DATED THIS ^{25th} 21st day of October, 2011.

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JANE FAUROT, RPR
Official FPSC Hearings Reporter
(850) 413-6732