

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 1, 2005

RE: Docket No. 041339-WS - Application for name change on Certificates Nos. 303-W and 252-S in Volusia County from Tymber Creek Utilities to Tymber Creek Utilities, Incorporated.

Issue 1: Should Tymber Creek Utilities be ordered to show cause in writing, within 21 days, why it should not be fined for its failure to comply with the requirements of Section 367.1214, Florida Statutes?

Recommendation: No. Tymber Creek Utilities should not be ordered to show cause.





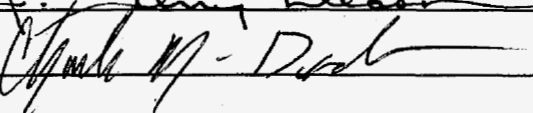
APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01164 FEB-1 05

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Issue 2: Should Tymber Creek Utilities' notice of change of name on Certificate Nos. 303-W and 252-S to Tymber Creek Utilities, Incorporated be approved?

Recommendation: Yes. The name on Certificate Nos. 303-W and 252-S be should be changed to Tymber Creek Utilities, Incorporated effective the date of the Commission's vote. A recorded warranty deed, or long-term lease, reflecting the name change should be provided within 30 days from the date of the Commission's order for the land upon which the utility's wastewater treatment plant resides. The utility's revised tariffs should be effective for services rendered on or after the stamped approval date.

APPROVED

Issue 3: Should the docket be closed?

Recommendation: No. The docket should remain open pending receipt of a recorded warranty deed, or long-term lease, for the land upon which the utility's wastewater treatment plant resides. Upon receipt of such document, the docket should be administratively closed.

APPROVED