

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DATE: April 5, 1994

RE: DOCKET NO. 931164-SU - Application for amendment of Certificate No. 247-S to include territory held by CARRIAGE VILLAGE LANDOWNER'S ASSOCIATION, INC., cancellation of Certificate No. 57-S, and for limited proceeding to impose current rates in Lee County, by NORTH FORT MYERS UTILITY, INC. (Deferred from the 3/22/94 Commission Conference)

Issue 1: Recommendation that the Commission should recognize the withdrawal of the objection letter received on January 7, 1994, signed by Mr. E. Duane Ackerman, Ms. Anna Marie Sturgeon, Mr. and Mrs. R. Frye, and Mr. S. Porter Smith.

APPROVED

Issue 2: Recommendation that North Fort Myers Utility, Inc. should be granted the additional territory described in Attachment A of staff's memorandum dated 3/10/94, the collection system of Carriage Village Landowners' Association, Inc. should be transferred to North Fort Myers Utility, Inc., and Certificate No. 57-S held by Carriage Village Landowners' Association, Inc. should be cancelled.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of three commissioners under the MAJORITY column.

Four horizontal lines under the DISSENTING column, with no signatures.

REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90)

DOCUMENT NUMBER-DATE

03184 APR-6 94

FPSC-RECORDS/REPORTING

Vote Sheet

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Issue 3: Recommendation that the rates and charges contained in North Fort Myers Utility, Inc.'s tariff on file with the Commission should be applied to service provided in the additional territory. If a protest is timely filed, NFMU should be authorized to charge its authorized rates subject to refund with interest. NFMU should also be required to provide a bond, a letter of credit, or an escrow account in the amount of \$442,906 as security in the event that a refund becomes necessary, and should be required to comply with Rule 25-30.360(6), F.A.C., regarding reporting of funds subject to refund and status of the security being provided.

**APPROVED**

Issue 4: Recommendation that rate base should not be established for Carriage Village Landowners' Association at this time.

**APPROVED**

Issue 5: Recommendation that the Commission deny Forth Fort Myers Utility's (NFMU) Petition for Interim Relief, filed February 16, 1994. The issue is moot.

**APPROVED**

Issue 6: Recommendation that this docket be closed if no protest is timely filed to the Commission's notice of proposed agency action for Issues Nos. 3 and 4.

**APPROVED**