

VOTE SHEET

February 10, 2009

Docket No. 080606-WU – Application for amendment of water tariff by O&S Water Company Inc., to implement Florida Department of Environmental Protection's requirement under Rule 62-555.360, F.A.C., that backflow prevention devices be tested on an annual basis.

Issue 1: Should the utility's proposed tariff sheet requiring that all backflow prevention devices be inspected on an annual basis be approved?

Recommendation: Yes. O & S Water Company, Inc.'s proposed tariff sheet allowing disconnection of service if the customer fails to comply with the Department of Environmental Protection's (DEP) rules requiring that all backflow prevention devices be inspected on an annual basis should be approved. The utility should file a proposed customer notice to reflect the Commission-approved tariff sheet. The approved tariff sheet should be effective for service rendered on or after the stamped approval date of the new tariff sheet, pursuant to Rule 25-30.475(1), Florida Administrative Code. In addition, the inspection requirement should not be implemented until staff has approved the proposed customer notice. The utility should distribute the notice to the customers no later than with the first bill following the effective date of the tariff and should provide proof of the date the notice was given no less than 10 days after the date of the notice.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including one that appears to read 'Katrina A. McMurrin'.

Four horizontal lines in the dissenting column, all of which are blank.

REMARKS/DISSENTING COMMENTS:

Blank space for remarks or dissenting comments.

DOCUMENT NUMBER-DATE

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Issue 2: Should the docket be closed?

Recommendation: Yes. If no timely protest to the proposed agency action order is filed by a substantially affected person within 21 days, a Consummating Order should be issued and the docket should be closed. In the event there is a timely protest, this docket should remain open pending resolution of the protest.

APPROVED