

VOTE SHEET

September 15, 2009

Docket No. 090083-GU – Complaint of Sun City Center Community Association, Inc. against Peoples Gas System for alleged improper billing. (Deferred from the July 14, 2009, Commission Conference.)

Issue 1: From August 2005 through to the present, was the Sun City Center Community Association, Inc., correctly billed pursuant to the Residential Service (RS) tariff of the Peoples Gas System, or should it have been billed using the Commercial GS-2 Service tariff?

Recommendation: Because the service provided is in the nature of residential service, Sun City Center Community Association, Inc., was correctly billed pursuant to the Residential Service rate tariff of Peoples Gas System in effect prior to the approval of new GS Service tariffs at the May 19, 2009, Agenda Conference.

APPROVED; *Commissioner Argenziano dissented*

Issue 2: Should Peoples Gas System be required to refund with interest the revenues collected from Sun City Center Community Association, Inc., from August 2005 to the present?

Recommendation: No. If the Commission agrees with staff's recommendation in Issue 1, the Company has used the appropriate tariff, and no refunds are required.

APPROVED; *Commissioner Argenziano dissented*

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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Katrina J. McMurria

[Signature]

[Signature]

Nancy Argenziano

REMARKS/DISSENTING COMMENTS: Commissioner Argenziano participated in the conference by telephone. She will sign the vote sheet upon her return to the office.

DOCUMENT NUMBER-DATE

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Issue 3: Should this docket be closed?

Recommendation: Yes. If no substantially affected person files a protest within 21 days of the date of the Proposed Agency Action Order, this docket should be closed upon the issuance of a Consummating Order.

APPROVED; *Commissioner Argenziano dissented.*