

FLORIDA PUBLIC SERVICE COMMISSION

Item 6

VOTE SHEET

FILED SEP 15, 2015
DOCUMENT NO. 05746-15
FPSC - COMMISSION CLERK

September 15, 2015

Docket No. 140176-WU – Application for approval of transfer of Certificate No. 116-W from Holiday Gardens Utilities, Inc. to Holiday Gardens Utilities, LLC, in Pasco County.

Issue 1: Should the application for transfer of Certificate No. 116-W from Holiday Gardens Utilities, Inc. to Holiday Gardens Utilities, LLC be approved?

Recommendation: Yes, but with conditions which have been agreed to by the owner of the utility. These conditions include payment of RAFs and filings of annual reports in a timely manner, meeting all environmental and health requirements for operation, responding to staff data requests in a timely and complete fashion, not purchasing any additional utilities until after December 31, 2017, and updating staff on existing utility system purchases.

Staff recommends that with the conditions discussed herein the transfer is in the public interest and should be approved effective the date of the Commission vote. The territory being transferred is described in Attachment A of staff’s memorandum dated September 3, 2015. The resultant order should serve as Holiday Gardens Utilities, LLC’s Certificate No. 116-W and be retained. The existing rates and charges should remain in effect until a change is authorized by the Commission in a subsequent proceeding. The tariffs reflecting the transfer should be effective for services rendered or connections made on or after the stamped approval date on the tariffs, pursuant to Rule 25-30.475, F.A.C. Holiday Gardens Utilities, LLC should be responsible for annual reports and RAFs for 2015 and future years.

APPROVED as modified for Condition 5: *of Michael Smallridge purchases, either directly or indirectly, any other Commission-regulated utilities, prior to 12-31-17, an application for transfer shall be submitted within 90 days.*

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in blue ink over horizontal lines]

REMARKS/DISSENTING COMMENTS:

Docket No. 140176-WU – Application for approval of transfer of Certificate No. 116-W from Holiday Gardens Utilities, Inc. to Holiday Gardens Utilities, LLC, in Pasco County.

(Continued from previous page)

Issue 2: What is the appropriate net book value for Holiday Gardens' water system for transfer purposes and should an acquisition adjustment be approved?

Recommendation: The net book value of Holiday Gardens' water system for transfer purposes should be \$19,380 as of August 27, 2014. An acquisition adjustment should not be included in rate base. Within 90 days of the date of the final order, Holiday Gardens should be required to provide general ledger balances which show its books have been updated to reflect the Commission-approved balances as of August 27, 2014. The adjustments should be reflected in the Utility's 2015 Annual Report when filed.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: If no protest to the proposed agency action is filed by a substantially affected person within 21 days of the date of the order, a consummating order should be issued and the docket should be closed administratively after Holiday Gardens has provided proof that its general ledgers have been updated to reflect the Commission-approved balances, as of August 27, 2014.

APPROVED