

FLORIDA PUBLIC SERVICE COMMISSION

Item 6

VOTE SHEET

FILED 8/7/2018
DOCUMENT NO. 05126-2018
FPSC - COMMISSION CLERK

August 7, 2018

Docket No. 20180124-EQ – Petition for declaratory statement concerning leasing of solar equipment, by Vivint Solar Developer, LLC.

Issue 1: Should the Commission grant Vivint’s Petition for Declaratory Statement?

Recommendation: Yes. Based on the facts presented by Vivint, the Commission should grant Vivint’s Petition and declare: (1) Vivint’s proposed residential solar equipment lease, as described by its petition, will not be deemed to constitute a sale of electricity; (2) Offering its solar equipment lease, as described in its petition, to consumers in Florida will not cause Vivint to be deemed a public utility; and (3) The residential solar equipment lease described in its petition will not subject Vivint or Vivint’s customer-lessees to regulation by this Commission. The Commission should also state that its declaration is limited to the facts described in Vivint’s Petition and would not apply to different, alternative facts.

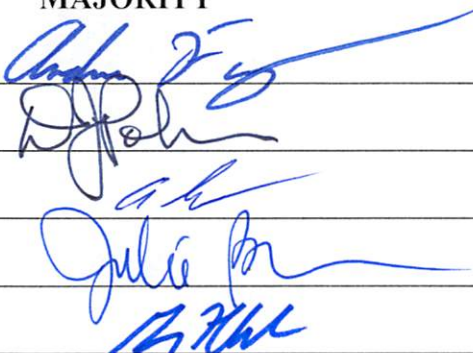
APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING



REMARKS/DISSENTING COMMENTS:

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Issue 2: Should this docket be closed?

Recommendation: Yes, if the Commission votes to either grant or deny the Petition for Declaratory Statement, the docket should be closed.

APPROVED