

VOTE SHEET

NOVEMBER 5, 2002

RE: Docket No. 020824-EI - Petition for waiver of requirement of Rule 25-6.015(3), F.A.C., that records be preserved in accordance with April 1, 1994 version of applicable Federal Energy Regulatory Commission regulations, Title 18, Subchapter C, Part 125, Code of Federal Regulations, entitled "Preservation of Records of Public Utilities and Licensees," by Florida Power & Light Company. (Deferred from October 15, 2002 conference; revised recommendation filed.)

ISSUE 1: Should the utility's request for waiver of Rule 25-6.015(3) and Rule 25-6.015(3)(a), Florida Administrative Code, be granted?

RECOMMENDATION: The Commission should grant in part and deny in part the utility's request for a waiver. The Commission should grant a waiver of Rule 25-6.015(3)(a), Florida Administrative Code, as it relates to the storage media utilized to preserve records. The requested waiver will serve the purpose of the underlying statutes, and Florida Power & Light Company (FPL) will experience substantial hardship if its request is denied. The utility should also be required to petition for a new rule waiver if it changes the vendor or method used to copy its source

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Rudy Bradley
Matthew Perry
W.A. J. [unclear]
J. Terry Deane
Michael A. Paluch

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

12141 NOV-5 02

FPSC-COMMISSION CLERK

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documents. However, the Commission should deny the requested waiver of Rule 25-6.015(3), Florida Administrative Code, as it relates to the retention periods for records; because the requested waiver will not serve the purpose of the underlying statutes.

APPROVED

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED