

VOTE SHEET

DATE: March 19, 1996

RE: DOCKET NO. 960025-EI - Complaint of Broward County Government against Florida Power & Light Company regarding streetlight billing in Broward County.

Issue 1: Recommendation that the Commission should not order Florida Power & Light Company to refund \$897,008.00 to Broward County for payments made for streetlight accounts that Broward County alleges FPL should have charged to municipalities in the county. There is not sufficient cause to support Broward County's refund claim. There does not appear to be any evidence that FPL was notified that it should bill the municipalities directly for streetlighting service. The County paid all bills for service to the streetlights and did not express any concerns to FPL regarding the charges at the time they were paid. Under these circumstances, Rule 25-6.106(2), F.A.C., does not require a refund to the County.

APPROVED

Issue 2: Recommendation that, if no protest is filed within 21 days of issuance of this order, the docket should be closed.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

Susan L. Clark

J. Terry Deane

James R. Johnson

DISSENTING

[Signature]

REMARKS/DISSENTING COMMENTS:

PSC/RAR33(5/90)

Commissioners Garcia and Johnson dissented.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING