

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 4, 2005

RE: **Docket No. 030623-EI** - Complaints by Ocean Properties, Ltd., J.C. Penney Corp., Target Stores, Inc., and Dillard's Department Stores, Inc. against Florida Power & Light Company concerning thermal demand meter error.

Issue 1: Should the Commission grant Customers' motion for reconsideration of Order No. PSC-05-0226-FOF-EI?

Recommendation: No. Customers have not demonstrated that the Commission overlooked or failed to consider a material and relevant point of fact or law in rendering its final order. Accordingly, Customers' motion for reconsideration should be denied.

APPROVED

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed after the time for filing an appeal has run.

APPROVED

COMMISSIONERS ASSIGNED: Deason, Bradley

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Judy Bradley

J. Terry Deason

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09422 OCT-4 05