

VOTE SHEET

October 3, 2006

Docket No. 060151-EI – Petition for approval of revisions to access to premises section of Tariff Sheet No. 6.020, by Florida Power & Light Company.

Issue 1: Should FPL's proposed tariff filing to revise Section 2.8 of its current Ninth Revised Tariff Sheet No. 6.020, Access to Premises, be approved?

Recommendation: No. FPL's proposed tariff filing should be denied because the Commission lacks the statutory authority to approve it. FPL should be encouraged to coordinate its efforts to trim and remove vegetation outside of its easements and ROW with the local governments involved.

APPROVED

with the modification that "or impliedly" be stricken ^{from} ~~with~~ the staff analysis language on page 5 of staff's recommendation.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Katrina J. Jew
J. [Signature]
[Signature]
[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09130 OCT-3 06

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Issue 2: Should this docket be closed?

Recommendation: Yes. If no timely protest is filed within 21 days of the issuance date of the Order, no further action will be necessary and this docket should be closed upon the issuance of a Consummating Order. However, if a protest is filed by a person whose interests are substantially affected within 21 days of the issuance date of the Order, the docket should remain open pending resolution of the protest.

APPROVED