

VOTE SHEET

February 13, 2007

Docket No. 060150-EI – Petition for approval of revisions to contribution-in-aid-of-construction definition in Section 12.1 of First Revised Tariff Sheet No. 6.300, by Florida Power & Light Company.

Issue 1: Should the Commission approve FPL's amended petition for approval of revisions to its tariff to implement a Governmental Adjustment Factor (GAF) for calculation of CIAC?

Primary Recommendation: Yes; however, the GAF and associated tariffs should be effective for only two and a half years from the initial effective date, which is April 4, 2006. At least 60 days prior to the expiration of the GAF and associated tariffs, FPL should be required to file a report with the Commission providing an updated quantification of storm restoration benefits. FPL should also petition the Commission to continue the tariff, modify the tariff, or discontinue the tariff at that time as necessary.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01479 FEB 14 8

› Vote Sheet

February 13, 2007

Docket No. 060150-EI – Petition for approval of revisions to contribution-in-aid-of-construction definition in Section 12.1 of First Revised Tariff Sheet No. 6.300, by Florida Power & Light Company.

(Continued from previous page)

Alternative Recommendation: The Commission should decline to rule on the tariff at this time because FPL has not adequately justified the 25 percent GAF waiver. An expedited hearing schedule should be set to allow the Commission to hear testimony and make a decision on matters of fact and policy necessary to show how this filing comports with the requirements of revised Rule 25-6.115, F.A.C. If the Commission is unable to render a decision by the statutory deadline of May 21, 2007, the tariff shall go into effect pending completion of the hearing and the Commission's final decision on the matter. Alternatively, the Commission should deny the tariff and suggest that FPL refile its tariff implementing the requirements of Rule 25-6.115, F.A.C

Issue 2: Should this docket be closed?

Recommendation: If the Commission approves the primary staff recommendation on Issue 1, or denies the tariff as alternatively suggested in the alternate recommendation, and 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. If the Commission approves the alternate staff recommendation on Issue 1, this docket should remain open in order to proceed directly to hearing.