

VOTE SHEET

June 5, 2007

Docket No. 070291-EI – Petition for permanent approval of a performance guaranty agreement, including approval of first revised Tariff Sheet No. 9.946 by Florida Power & Light Company.

Issue 1: Should the Commission approve FPL’s petition to make the pilot PGA a permanent offering?

Recommendation: Yes. The Commission should make the pilot Performance Guaranty Agreement (PGA) a permanent offering and discontinue the annual reporting requirements specified in Order No. PSC-04-0406-TRF-EI.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

Commissioner Argenziano participated in the conference by telephone. She agreed with the majority vote and will sign the vote sheet upon return to the office.

04678 JUN 11 5

Vote Sheet

June 5, 2007

Docket No. 070291-EI – Petition for permanent approval of a performance guaranty agreement, including approval of first revised Tariff Sheet No. 9.946 by Florida Power & Light Company.

(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the revised tariff should become effective June 5, 2007. If a protest is filed within 21 days of the issuance of the order, this revised tariff should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order.

APPROVED