

VOTE SHEET

June 3, 2008

Docket No. 070733-EI – Complaint No. 694187E by Cutrale Citrus Juices USA, Inc. against Tampa Electric Company for refusing to provide transformer ownership discount for electrical service provided through Minute Maid substation.

Issue 1: Is Cutrale Citrus Juices USA, Inc. entitled to the Transformer Ownership Discount as described in Tampa Electric Company's Firm Standby and Supplemental Service, Fourth Revised Tariff Sheet No. 6.608?

Recommendation: No. Cutrale Citrus Juices USA, Inc. does not qualify for the discount to its rates as set out in Tampa Electric Company's Firm Standby and Supplemental Service, Fourth Revised Tariff 6.608 Transformer Ownership Discount. The transformers owned by Cutrale do not meet the requirements of the tariff. Cutrale's position on how to determine a transformer ownership discount does not conform to the stated regulatory policy established by the Commission and the legislature. The interpretation of the agreement which adopted the tariff has consistently been that the discount does not apply to Cutrale's Auburndale facility.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of commissioners in the majority column, including names like Katrina J. McMurrian and others.

Empty lines for signatures in the dissenting column.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
04700 JUN-3 08
FPSC-COMMISSION CLERK

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**Issue 2:** Should Tampa Electric Company be required to refund Cutrale Citrus Juices USA, Inc. for Transformer Ownership Discounts?

**Recommendation:** No. If the Commission agrees with staff's recommendation in Issue 1, the Commission should not order Tampa Electric Company to refund Cutrale Citrus Juices USA, Inc. for Transformer Ownership Discounts.

**APPROVED**

**Issue 3:** Should this docket be closed?

**Recommendation:** Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the Order, this docket should be closed upon the issuance of a Consummating Order.

**APPROVED**