

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FILED AUG 13, 2013
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FPSC - COMMISSION CLERK

August 13, 2013

Docket No. 130160-EI – Petition for declaratory statement regarding the inspection, repair and replacement of meter enclosures for smart meter analytical tool, by Florida Power & Light Company.

Issue 1: Should the Office of Public Counsel’s motion for an evidentiary hearing on FPL’s Petition for Declaratory Statement be granted?

Recommendation: No, the Commission should deny the Office of Public Counsel’s motion for an evidentiary hearing. The Commission should, consistent with Rule 28-105.003, F.A.C., rely on the facts set forth in FPL’s Petition and response to Staff’s First Data Request without taking a position on the validity of the facts. However, staff recommends that the Commission allow each party 10 minutes to present oral argument at the agenda conference.

WITHDRAWN

RECEIVED FPSC
13 AUG 13 AM 10:15
COMMISSION
CLERK

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Julie M
[Signature]
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REMARKS/DISSENTING COMMENTS:

Vote Sheet

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(Continued from previous page)

Issue 2: Should the Commission issue a declaratory statement in response to FPL's Petition?

Recommendation: Yes, the Commission should issue a declaratory statement that, applying Order Nos. 18893, PSC-95-0131-FOF-EI, and PSC-11-0194-DS-EI to FPL's set of circumstances, for the limited purpose of FPL developing a predictive tool for the benefit of all customers, it would be consistent with the Orders that 1) the approximately 400 individual customers participating in the Project not be charged by FPL for Project expenses related to inspection, repair, or replacement of their individual meter enclosures; and 2) FPL's inspection, repair, or replacement of the approximately 400 meter enclosures as part of the Project would not result in FPL obtaining any ownership interest in those meter enclosures or an obligation to repair or replace any of those meter enclosures due to wear or obsolescence after the Project has been completed. This declaratory statement should not be construed as addressing or approving the Project or future use of any predictive tool developed by FPL. Moreover, this declaratory statement does not address what may be the cause of any meter communication problems that may be identified by FPL or prejudice any cost recovery the utility might seek in relation to the Project's costs.

APPROVED

*with the language discussed at the Commission conference.
(see attached)*

applies to the 400 customers participating in this project and

Issue 3: Should this docket be closed?

Recommendation: Yes, the docket should be closed.

APPROVED

This declaratory statement should not be construed as addressing or approving the Project or future use of any predictive tool developed by FPL. Moreover, this declaratory statement does not address what may be the cause of any meter communication problems that may be identified by FPL or prejudice any cost recovery or cost attribution the utility might seek or propose in relation to the Project's costs.