

VOTE SHEET

DATE 7/17/90

RE: DOCKET NO. 890148-EI - Petition of the FLORIDA INDUSTRIAL POWER USERS GROUP to discontinue FLORIDA POWER AND LIGHT COMPANY'S oil backout cost recovery factor.

Issue: 1. Recommendation that the Commission should not reconsider its decision in Order No. 22268 which requires Florida Power & Light Company to refund the difference in revenues equivalent to using a 13.6% return on equity rather than a 15.6% return on equity for its oil backout project for the recovery periods April 1, 1988 through September 30, 1989. In calculating oil backout costs for recovery, FPL incorrectly used its last authorized cost of capital, rather than the actual cost. The Commission has the authority to review costs recovered through adjustment proceedings and therefore acted properly in ordering a refund.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' VOTES

<u>APPROVED</u>	<u>APPROVED WITH MODIFICATIONS</u>	<u>DISAPPROVED</u>	<u>DEFER</u>
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REMARKS/DISSENTING COMMENTS:

TO:

Vote Sheet

Bucket No. 890148-EI

July 17, 1990

Issue: 2. Recommendation that the Commission should not reconsider its decision in Order No. 22268 to make no adjustment to the amounts collected as accelerated depreciation and to continue to allow FPL to collect, through the oil backout clause, capacity charges paid to the Southern Company. In challenging this portion of the order, the Florida Industrial Power Users' Group raised no mistake of fact or law such that reconsideration should be granted.

APPROVED

VOTE SHEET

DATE 7/17/90

RE: DOCKET NO. 890148-EI - Petition of the FLORIDA INDUSTRIAL POWER USERS GROUP to discontinue FLORIDA POWER AND LIGHT COMPANY'S oil backout cost recovery factor.

Issue: 1. Recommendation that Florida Power & Light Company's (FPL) proposed ruling request is adequate and complete and should be filed with the Internal Revenue Service.

APPROVED

Issue: 2. Recommendation that FPL, its parent, agents, representatives and affiliates and all other parties to this proceeding be directed to inform each other of any written or verbal contact regarding the ruling request, or the subject matter of the ruling request, which has occurred or does occur with the IRS or the U. S. Department of the Treasury.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' VOTES

<u>APPROVED</u>	<u>APPROVED WITH MODIFICATIONS</u>	<u>DISAPPROVED</u>	<u>DEFER</u>
<del>_____</del>	_____	_____	_____
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REMARKS/DISSENTING COMMENTS: TO:

Issue: 3. Recommendation that FPL, its parent, agents, representatives and affiliates and all other parties be required to furnish to each other a copy of any additional request, or the subject matter of the ruling request both before and after it is submitted to the IRS.

APPROVED

Issue: 4. Recommendation that FPL be required to clear dates for any conferences to be held with the IRS with this Commission, FIPUG and the Office of Public Counsel before dates are established.

APPROVED

Issue: 5. Recommendation that, upon receipt of the IRS ruling, FPL should make the appropriate refund and adjust its investment tax credit amortization if the IRS finds that to do so is not violative of the Internal Revenue Code and the underlying Regulations.

APPROVED

Issue: 6. Recommendation that this docket be closed upon receipt of a copy of FPL's ruling from the IRS and staff's verification that the refund of appropriate revenues, plus interest, has been accomplished and that the ITC amortization has been adjusted, if appropriate.

APPROVED