

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 1, 1998

RE: DOCKET NO. 981071-WS - Request by Robert P. Crocetta, Sr. to initiate rulemaking to amend Rule 25-30.360, F.A.C., Refunds.

Issue 1: Is this letter a timely filed request for new rulings on the Commission's decision to make the refunds to "customers of record as of the date of this [March 11, 1997] Order"?

Recommendation: No. The letter appears to be an untimely protest of the Commission's proposed agency action order, which became final March 25, 1997.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]
Susan L. Clark
J. Terry Dean
[Signature]

REMARKS/DISSENTING COMMENTS:

Chairman Johnson participated in the conference via teleconference. She agreed with ~~dissented from~~ the majority vote and will sign the vote sheet upon return to Tallahassee.

VOTE SHEET

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Issue 2: Is this letter a properly filed rule challenge as to Rule 25-30.360, F.A.C.?

Recommendation: No. The letter is not a properly filed rule challenge as to Rule 25-30.360, F.A.C.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: Yes.

APPROVED