

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 16, 1999

RE: DOCKET NO. 981827-EC - Complaint and petition by Lee County Electric Cooperative, Inc. for an investigation of the rate structure of Seminole Electric Cooperative, Inc. (Deferred from the 10/19/99 Commission Conference.)

Issue 1: Should Seminole Electric Cooperative, Inc.'s motion to dismiss the complaint and petition of Lee County Electric Cooperative, Inc., for lack of jurisdiction be granted?

Recommendation: No. The Commission has jurisdiction over the subject matter of Lee County Electric Cooperative, Inc.'s complaint and petition. Thus, the complaint and petition state a cause of action for which the Commission may grant relief, and the motion to dismiss should be denied.

*The motion to dismiss failed due to lack of an affirmative vote to either grant or deny by the Commission.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

*[Handwritten signatures for majority, including Susan J. Clark]*

DISSENTING

*[Handwritten signatures for dissenting, including J. Terry Weaso and Susan J. Clark]*

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

~~14127~~ NOV 18 99

FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open for the Commission to consider the merits of Lee County Electric Cooperative, Inc.'s complaint and petition.

**APPROVED**