

VOTE SHEET

NOVEMBER 6, 2001

RE: Docket No. 011088-EI - Petition for waiver of depreciation study filing requirement in Rule 25-6.0436 (8)(a), F.A.C., in order to extend time for filing study to April 30, 2003, by Florida Power & Light Company.

ISSUE 1: Should FPL's Petition for a Waiver of Rule 25-6.0436(8)(a) be granted?

RECOMMENDATION: Yes. The Commission should approve FPL's request to extend the filing date of its next depreciation study until April 30, 2003, and its fossil dismantlement studies within one year thereafter. The requested waiver will serve the purposes of the underlying statutes, and FPL will experience substantial hardship if its Petition is denied. However, the filing date should be revisited if a settlement is reached in Docket No. 001148-EI.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Michael A. Palumbo*  
*David DeBevoise*  
*[Signature]*  
*[Signature]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

14051 NOV-6 01

FPSC-COMMISSION CLERK

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(Continued from previous page)

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action.

**APPROVED**