

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 23, 2002

RE: Docket No. 020175-EI - Complaint of Reliant Energy Power Generation, Inc. against Florida Power & Light Company for alleged violation of Rule 25-22.082, F.A.C.

ISSUE 1: Should the Commission deny Florida Power & Light Company's Motion to Dismiss?

RECOMMENDATION: Yes. The Commission should deny Florida Power & Light Company's Motion to Dismiss. Reliant's Complaint states a cause of action upon which relief can be granted. The Commission should consolidate the Complaint Docket with the Need Determination Dockets (020262-EI and 020263-EI) for purposes of administrative efficiency.

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04457 APR 23 08

FPSC-COMMISSION CLERK

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ISSUE 2: Should this Docket be closed?

RECOMMENDATION: No. If the Commission adopts Staff's recommendation and denies FPL's Motion to Dismiss, this docket should be held open to allow for further proceedings.