

VOTE SHEET

MAY 21, 2002

RE: Docket No. 010908-EI - Complaint against Florida Power & Light Company regarding placement of power poles and transmission lines by Amy & Jose Gutman, Teresa Badillo, and Jeff Lessera.

ISSUE 1: Are the power poles and other facilities associated with Florida Power & Light Company's Parkland transmission line constructed in compliance with the National Electric Safety Code?

RECOMMENDATION: Yes. The power poles and other facilities associated with Florida Power & Light Company's Parkland transmission line are constructed in compliance with the National Electric Safety Code.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Lucy Bradley

Mark ...

Mark ...

J. Terry ...

Michael A. Palecki

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05416 MAY 22 08

FPSC-COMMISSION CI FRK

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(Continued from previous page)

ISSUE 2: Does the Commission have the authority to require Florida Power & Light Company to relocate its Parkland Line based on the concerns raised by the complainants, other than the safety concerns addressed in Issue 1?

RECOMMENDATION: No. Based on the concerns raised by the complainants; other than concerns related to safety matters within the Commission's jurisdiction which are addressed in Issue 1, the Commission does not have the authority to grant the requested relief, i.e., to require Florida Power & Light Company to relocate its Parkland Line. Therefore, the complaints should be dismissed.

MODIFIED - *Issue is final agency action.*

ISSUE 3: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected by the Commission's proposed agency action files a protest within 21 days of issuance of the order, this docket should be closed upon issuance of a consummating order.

APPROVED