

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 4, 2003

RE: Docket No. 021248-EI - Complaint against Florida Power & Light Company for allegedly being misinformed and mistreated by company employees and for improper use of his land without a legally recorded easement, by Robert Shuhi.

ISSUE 1: Should the Commission dismiss Complaint No. 447560E filed by Mr. Robert Shuhi against Florida Power & Light Company?

RECOMMENDATION: Yes. The Commission should dismiss Complaint No. 447560E filed by Mr. Shuhi, as the gravamen of that complaint is that he is seeking a determination of whether Florida Power & Light Company had an easement, and whether he should be awarded damages for the improper use of his land and damage to the palm trees.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners:

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER - DATE

01170 FEB-5 8

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves Issue 1 above, then the Commission has no authority or jurisdiction to act on Mr. Shuhi's complaint and there are no further actions to be taken. Therefore, the docket should be closed.

APPROVED