

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 19, 2004

RE: Docket No. 040449-EI - Request for exclusion under Rule 25-6.0455(3), F.A.C., for outages on April 13, 2004 resulting from weather system known as a "Mesoscale Convective System," by Florida Power & Light Company.

Issue 1: Should the Commission approve FPL's petition to exclude from its 2004 Annual Distribution Service Reliability Report 114,935 customer interruptions that occurred on April 13, 2004, due to a weather-related event?

Recommendation: Yes. FPL has demonstrated that the outages due to the April 13, 2004, weather event were not within its control and that it could not reasonably have prevented the outages. FPL should file its 2004 Annual Distribution Service Reliability Report with and without the requested exclusion.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

<p><i>Charles M. Dard</i></p> <hr/> <p><i>Maurice E.</i></p> <hr/> <p><i>John J. ...</i></p> <hr/> <p><i>...</i></p> <hr/>	<hr/> <hr/> <hr/> <hr/>
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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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**