

VOTE SHEET

December 19, 2006

Docket No. 060488-EI – Complaint No. 665167E of Streamline Hotel a/k/a Daytona Hostelry against Florida Power & Light Company regarding point at which FPL maintains and has responsibility for wiring.

Issue 1: Were the Current Transformer Cabinet and the wiring inside the cabinet the property of FPL?

Recommendation: No. Pursuant to the tariff, the Commission’s rules, and common practice, the line of demarcation for determination of ownership and maintenance of electrical wiring is at a point exterior to the structure. This point is often referred to as “the weatherhead.” All wiring from the weatherhead into the building belongs to the property owner. FPL is not responsible for ownership or maintenance of any wiring inside of the building, including wiring inside a current transformer cabinet.

APPROVED with oral modification.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina J. Jew

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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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