

VOTE SHEET

July 1, 2008

Docket No. 080001-EI – Fuel and purchased power cost recovery clause with generating performance incentive factor. (Florida Power & Light Company)

Issue 1: Should the Commission grant the Motion to Dismiss or Alternatively to Abate filed by the Florida Industrial Power Users Group?

Recommendation: No. The Commission should deny the Motion to Dismiss or Alternatively Abate filed by the Florida Industrial Power Users Group (FIPUG). Florida Power & Light Company has complied with Order No. 07-0333-PAA-EI in calculating its under-recovery. Procedural due process is built into the fuel clause proceedings so that ratepayer's interests remain protected. FIPUG's request to extend the under-recovery payment over the projected year is addressed in Issue 2 of staff's memorandum dated June 23, 2008.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

DOCUMENT NUMBER - DATE  
05730 JUL-28  
FPSC-COMMISSION CLERK

MAJORITY

DISSENTING

*[Handwritten signatures in the Majority column]*

*[Handwritten signatures in the Dissenting column]*

REMARKS/DISSENTING COMMENTS:

*Commissioner Mc Murrian and Argenzino dissented on issue 2 only.*

- Vote Sheet

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**Issue 2:** Should the Commission approve FPL's petition for mid-course correction to its 2008 fuel and purchased power cost recovery factors?

**Recommendation:** Yes. The Commission should approve FPL's petition for a mid-course correction to its 2008 fuel and purchased power cost recovery factors. The proposed factors are shown on Attachment C of staff's memorandum dated June 23, 2008. If the Commission approves an alternative to FPL's petition, FPL should file revised fuel and purchased power cost recovery factors for administrative approval by staff.

**DENIED** *The Commissioners substituted Option C for Option A.*

*Commissioners McMurrian and Argemiano dissented.*

**Issue 3:** If the Commission approves FPL's petition for a mid-course correction, when should the new fuel and purchased power cost recovery factors become effective?

**Recommendation:** If the Commission approves staff's recommendation in Issue 2, the effective date of the revised cost-recovery factors should be August 4, 2008.

**APPROVED**

**Issue 4:** Should this docket be closed?

**Recommendation:** The fuel docket is an on-going docket and should remain open.

**APPROVED**