

VOTE SHEET

December 16, 2008

Docket No. 080001-EI – Fuel and purchased power cost recovery clause with generating performance incentive factor.

Issue 1: (Hearing Issue 13C) With respect to the outage extension at Turkey Point Unit 3 which was caused by a drilled hole in the pressurized piping, should customers or FPL be responsible for the additional fuel cost incurred as a result of the extension?

Recommendation: FPL failed to carry the burden of proof in showing that it was prudent in the management and oversight of temporary contract personnel during the spring outage of 2006. Therefore, FPL should be responsible for the additional fuel costs at issue. FPL should be required to refund \$6,163,000, plus interest, in the form of a one-time credit on retail customers' bills, beginning with the first day of the first billing cycle 30 days after the final order is issued.

APPROVED

Issue 2: Should this docket be closed?

Recommendation: No. The fuel docket is on-going docket and should remain open.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Ned A. ... Katrina J. McMurrain, Scott E. ... Liz ... H. ...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK