

VOTE SHEET

July 14, 2009

Docket No. 070733-EI – Complaint No. 694187E by Cutrale Citrus Juices USA, Inc. against Tampa Electric Company for refusing to provide transformer ownership discount for electrical service provided through Minute Maid substation. (Deferred from the June 30, 2009 Commission Conference, revised recommendation filed.)

**Issue 1:** Should the Commission acknowledge Cutrale Citrus Juices USA, Inc.’s voluntary withdrawal of its petition, and if so, what effect does the withdrawal have on ~~Docket No. 070733-EI~~ Order No. PSC-08-0397-PAA-EI?

**Recommendation:** Yes, the Commission should acknowledge Cutrale’s voluntary withdrawal of its complaint as a matter of right. The effect of the voluntary withdrawal is to divest the Commission of further jurisdiction over this matter, rendering Order No. PSC-08-0397-PAA-EI a nullity.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the Majority column: Katrina J. McMurrin, Scott J. Carr, and others]*

**REMARKS/DISSENTING COMMENTS:** Commissioner Argenziano participated in the conference by telephone. She will sign the vote sheet upon her return to the office.

DOCUMENT NUMBER - DATE

07044 JUL 14 8

Vote Sheet

July 14, 2009

Docket No. 070733-EI – Complaint No. 694187E by Cutrale Citrus Juices USA, Inc. against Tampa Electric Company for refusing to provide transformer ownership discount for electrical service provided through Minute Maid substation. (Deferred from the June 30, 2009 Commission Conference, revised recommendation filed.)

(Continued from previous page)

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes. If the Commission approves staff's recommendation in Issue 1, the docket should be closed.

**APPROVED**