

VOTE SHEET

December 15, 2009

Docket No. 090001-EI – Fuel and purchased power cost recovery clause with generating performance incentive factor.

Issue 1: What is the appropriate consumption that FPL should use in calculating the refund of the \$364,843,209 over-recovery?

Primary Recommendation: The refund should be based on each customer’s consumption for the 12 consecutive billing cycles that end with the December 2009 billing cycle. Only customers of record in January 2010 should receive a refund.

MOOT

Alternative Recommendation: The refund should be made on January 2010 bills and based upon that bill’s consumption.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in blue ink on the majority side, including names like David E. Klement, Neil A. Dwyer, and others.

Four horizontal lines for signatures on the dissenting side, which are currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11968 DEC 15 09

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Issue 2: Should this docket be closed?

Recommendation: No. The Fuel and Purchased Power Cost Recovery Clause docket is an on-going docket and should remain open.

APPROVED