

VOTE SHEET

May 22, 2012

**Docket No. 110305-EI** – Initiation of formal proceedings of Complaint No. 1006767E of Edward McDonald against Tampa Electric Company, for alleged improper billing.

**Issue 1:** Should the Commission grant TECO’s Motion to Dismiss?

**Recommendation:** Yes. The Commission should grant TECO’s Motion to Dismiss, and the petition should be dismissed without prejudice for failure to state a cause of action.

**APPROVED**

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

**Recommendation:** No. If the Commission agrees with staff regarding Issue 1, then Mr. McDonald’s petition requesting the initiation of formal proceedings for Proposed Agency Action Order No. PSC-12-0053-PAA-EI should be dismissed, and Mr. McDonald should file an amended petition by 5:00 PM on June 12, 2012. If Mr. McDonald fails to timely file an amended petition, then the docket should be closed, and a Consummating Order should be issued reviving Order No. PSC-12-0053-PAA-EI, making it final and effective.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in blue ink on four lines]*

*[Empty lines for dissenting signatures]*

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER - DATE  
03228 MAY 22 2012  
FPSC-COMMISSION CLERK