

VOTE SHEET

June 19, 2012

Docket No. 120054-EM – Complaint of Robert D. Reynolds and Julianne C. Reynolds against Utility Board of the City of Key West, Florida d/b/a Keys Energy Services regarding extending commercial electrical transmission lines to each property owner of No Name Key, Florida.

Issue 1: Should the Commission entertain oral argument on Keys Energy’s Motion to Dismiss?

Recommendation: Yes. The Commission should entertain oral argument on the motion to dismiss.

WITHDRAWN

Issue 2: Should the Commission deny the Motion to Dismiss?

Recommendation: Yes. The Commission should deny the Motion to Dismiss. The Reynolds’ complaint adequately states a cause of action upon which relief can be granted. The Commission should treat Keys Energy’s pleading as a response and affirmative defense, to be addressed in the context of full consideration of the complaint.

WITHDRAWN

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

REC'D

DOCUMENT NUMBER - DATE
03968 JUN 19 2012
FPSC - COMMISSION CLERK

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Issue 3: Should this docket be closed?

Recommendation: If the Commission denies the motion to dismiss in Issue 2, the docket should remain open to address the complaint. If the Commission grants the motion to dismiss in Issue 2, the docket should be closed.

WITHDRAWN