

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

April 10, 2014

FILED APR 10, 2014  
DOCUMENT NO. 01598-14  
FPSC - COMMISSION CLERK

Item 1

**Docket No. 130290-EI** – Initiation of formal proceedings of Complaint No. 1115382E of Brian J. Ricca against Florida Power & Light, for failing to provide reasonable service.

**Issue 1:** Should Florida Power & Light Company's Motion to Dismiss be granted?

**Recommendation:** Yes. Staff recommends that the Commission grant FPL's Motion to Dismiss and dismiss the complaint without prejudice because the complaint fails to demonstrate a cause of action upon which relief can be granted.

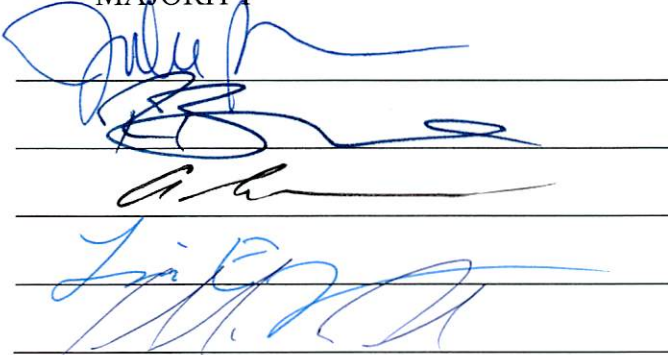
**APPROVED**

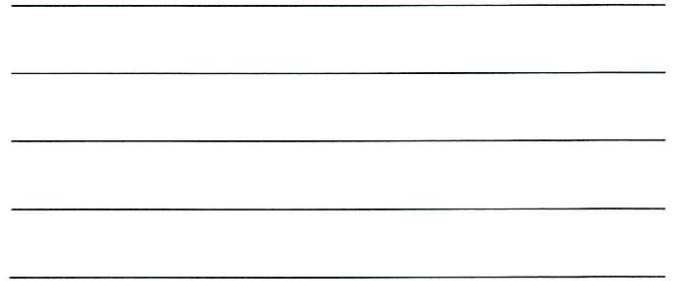
COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING





**REMARKS/DISSENTING COMMENTS:**

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

**Recommendation:** No. If the Commission agrees with staff regarding Issue 1, then Mr. Ricca's request for formal hearing complaint should be dismissed without prejudice, and Mr. Ricca be permitted to file an amended complaint. Should Mr. Ricca fail to timely file an amended complaint, the docket should be administratively closed.

**APPROVED**