

VOTE SHEET

JULY 15, 1997

RE: DOCKET NO. **970410-E1** - Proposal to extend plan for recording of certain expenses for years 1998 and 1999 for Florida Power & Light Company.

Issue 1: Should Florida Power and Light Company's Request for Oral Argument be granted?

Recommendation: Yes. Oral Argument might aid the Commission in comprehending and evaluating the issues before it. Since FPL has raised identical issues of law and fact in its response to AmeriSteel's Motion to Intervene and in its Motion to Deny and Dismiss AmeriSteel's protest, parties should be permitted to address both pending motions in their arguments. Oral argument should be limited to ten minutes per side.

MODIFIED *Recommendation was approved with modification that oral argument be expanded from 10 to 20 minutes per side.*

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Deferred to 8/5/97 agenda

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DOCKET NO. 970410-EI - Proposal to extend plan for recording of certain expenses for years 1998 and 1999 for Florida Power & Light Company.

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Issue 2: Should Florida Power and Light Company's Motion to Deny and Dismiss the Petition and Protest of AmeriSteel Corporation be granted?

Recommendation: No. AmeriSteel has demonstrated it has a substantial interest in this proceeding. AmeriSteel's protest specifically identifies those factual matters that are in dispute. Further, since AmeriSteel has protested the extension and modification of the plan, and since the plan was the only action proposed in Order No. PSC-97-0499-FOF-EI, Section 120.80(13)(b), Florida Statutes, is not operative in this situation.

Issue 3: Should AmeriSteel Corporation's Petition for Leave to Intervene be granted?

Recommendation: Given the Commission's decision on FPL's Motion to Dismiss, this issue is moot.

Issue 4: Should this docket be closed?

Recommendation: No. This docket should remain open pending resolution of AmeriSteel's protest of the proposed agency action.