

VOTE SHEET

August 31, 2010

Docket No. 080677-EI – Petition for increase in rates by Florida Power & Light Company.

Docket No. 090130-EI – 2009 depreciation and dismantlement study by Florida Power & Light Company. (Items 1 and 3 through 10 were deferred from the August 17, 2010 Commission Conference)

Issue 1: Should the Commission grant FPL's Motion for Leave to file a Response to SFHHA's Response?

Recommendation: No. FPL's Motion for Leave to file a Response to SFHHA's Response is not permitted, pursuant to Rule 25-22.060, F.A.C.

WITHDRAWN

Issue 2: Should the Commission reconsider Issue 46 because the Commission ordered a one-time refund of the over-recovery in the fuel docket?

Recommendation: Yes. The Commission should reconsider Issue 46 and recognize the impact on the 2010 test year of the fuel docket decision to refund the 2009 over-recovery in one month rather than ratably over a twelve-month period. As a result, the \$101,971,000 adjustment to reduce working capital should be revised to \$73,827,000, a change of \$28,144,000.

Decision: This item was decided at the August 17, 2010 Commission Conference.

NO VOTE

COMMISSIONERS ASSIGNED: Argenziano, Edgar, Skop

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Four horizontal lines for majority signatures.

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07223 AUG 31 2010

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Issue 3: Should the Commission reconsider Issue 89 regarding the impact of the minimum late payment charge?

Recommendation: Yes. The Commission should reconsider its decision on Issue 89 regarding the level of late payment charge (LPC) revenue. This adjustment will result in a decrease in the projected test year LPC revenues of \$25,776,146.

WITHDRAWN

Issue 4: Should the Commission reconsider Issue 103 regarding salaries and employee benefits?

Recommendation: Yes. The Commission should reconsider Issue 103 regarding the executive incentive compensation of \$12,700,000 that had been removed through the allocation to affiliates. As a result, the \$49,510,136 net adjustment decrease to the 2010 test year operating and maintenance (O&M) expenses should be revised to a \$36,810,136 net adjustment decrease. This represents a \$12,700,000 million reduction to the approved adjustment of \$49,510,136.

WITHDRAWN

Issue 5: Should the Commission reconsider Issue 109 regarding the 2010 test year charge from FiberNet to FPL?

Recommendation: Yes. The Commission should reconsider its decision on the FiberNet equipment lease charge to FPL. This adjustment will result in an increase in the allowed lease payment of \$585,000 and a corresponding increase of the same amount in FPL's 2010 test year revenue requirements.

WITHDRAWN

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Issue 6: Should the Commission clarify its Final Order as it relates to the computation of test year depreciation expense?

Recommendation: No. The Commission should not clarify its Final Order as it relates to the computation of test year depreciation expense.

WITHDRAWN

Issue 7: How should FPL be required to implement any change to the 2010 test year revenue requirements?

Recommendation: FPL should implement the \$41,902,170 net change in revenue requirements identified in Issues 2 through 6 by offsetting the increase or decrease against the depreciation reserve surplus. In order to offset the calculated \$41,902,170, both the remaining \$894,600,000 reserve surplus and the test year depreciation expense should be reduced by \$43,851,218 and the test year accumulated depreciation should be increased by \$21,925,609.

WITHDRAWN

Issue 8: Should the Commission grant FIPUG's motion for reconsideration?

Recommendation: No. FIPUG's Motion for Reconsideration should be denied.

WITHDRAWN

Issue 9: Should the Commission grant Thomas Saporito's Petition for Base Rate Proceeding?

Recommendation: No. The Commission should not grant the Petition for Base Rate Proceeding. The petition does not meet the requirements of Rule 28-106.201, F.A.C., because it fails to allege any material issue of disputed facts.

WITHDRAWN

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Issue 10: Should this docket be closed?

Recommendation: Yes. The docket should be closed upon the expiration of the time for appeal.

WITHDRAWN