

FLORIDA PUBLIC SERVICE COMMISSION

Item 4

VOTE SHEET

FILED AUG 27, 2015
DOCUMENT NO. 05341-15
FPSC - COMMISSION CLERK

August 27, 2015

Docket No. 150142-EU – Petition by WISCAN, LLC for waiver of Rule 25-6.049(5), Florida Administrative Code.

Issue 1: Should the Commission grant Wiscan's petition for waiver of Rule 25-6.049(5), F.A.C., and for waiver of DEF's Tariff, Section IV, Sheet 4.032 (3rd revised), § 3.02?

Recommendation: No, Wiscan's petition for waiver of Rule 25-6.049(5), F.A.C., should be denied because it does not meet the requirements of section 120.542, F.S., and the Commission should decline to rule on a request to waive a tariff provision that mirrors a Commission rule absent a ruling on a request for waiver of the rule itself.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING



REMARKS/DISSENTING COMMENTS:

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(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: Yes, if no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon issuance of a consummating order.

APPROVED