

FLORIDA PUBLIC SERVICE COMMISSION

Item 2

VOTE SHEET

October 13, 2015

FILED OCT 13, 2015
DOCUMENT NO. 06478-15
FPSC - COMMISSION CLERK

Docket No. 150169-EI – Complaint by James DiGirolamo vs. Florida Power & Light Company.

Issue 1: Should the Commission grant FPL's Motion to Dismiss Complaint?

Recommendation: No. While Mr. DiGirolamo's complaint does not comply with technical pleading rules, the Commission has significant information before it upon which it can make a decision on the substance of the complaint.




APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

(Continued from previous page)

Issue 2: What is the appropriate disposition of Mr. DiGirolamo's complaint?

Recommendation: Mr. DiGirolamo's formal complaint should be denied and he should pay any outstanding account balance. It appears that Mr. DiGirolamo's account was properly billed in accordance with FPL's tariffs along with Commission rules and statutes. Furthermore, it does not appear that FPL has violated any jurisdictionally applicable provision of the Florida Statutes, the Florida Administrative Code, or its tariff in the handling of Mr. DiGirolamo's account.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: 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 the issuance of a consummating order.

APPROVED