

FLORIDA PUBLIC SERVICE COMMISSION

Item 14

VOTE SHEET

FILED DEC 03, 2015  
DOCUMENT NO. 07711-15  
FPSC - COMMISSION CLERK

December 3, 2015

Docket No. 150222-EU – Petition for variance from or waiver of Rule 25-6.049(5) and (6), F.A.C., by 4111 South Ocean Drive, LLC.

**Issue 1:** Should the Commission grant the Developer’s request for waiver of the requirements of Rule 25-6.049(5) and (6), F.A.C.?

**Recommendation:** Yes. The petitioner has demonstrated that the purpose of the underlying statutes will be achieved by other means and that application of the rule would both create a substantial hardship and violate principles of fairness for 4111. The petitioner should be put on notice that as a master meter customer: 1) 4111 must allocate the cost of electricity to the individual 4111 unit owners using a reasonable apportionment method, consistent with Rule 25-6.049(9)(a), F.A.C.; 2) 4111 will be responsible for all of the costs associated with the conversion from individual metering to master metering, consistent with Rule 25-6.049(7), F.A.C.; and 3) The waiver will be effective for only so long as all or substantially all of the units are operated on a transient basis and 4111 is operated and licensed as a transient occupancy facility. At such time 4111 is no longer so operated and licensed, 4111 must inform FPL within 10 days and request FPL to install individual meters on all the occupancy units. In the event such a conversion to individual metering is required, 4111 will be solely responsible for the cost of such conversion, consistent with Rule 25-6.049(7), F.A.C.

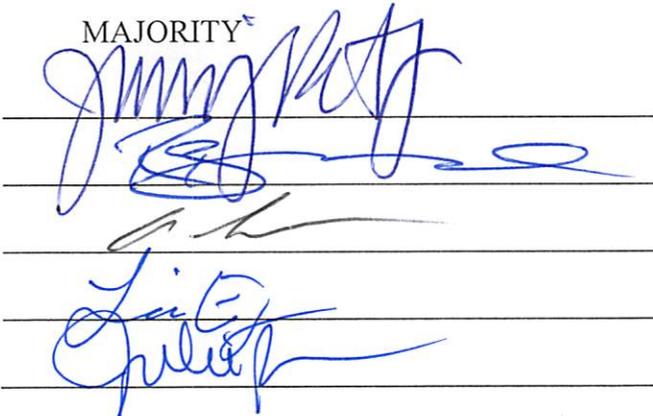
**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING



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**REMARKS/DISSENTING COMMENTS:**

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**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 the issuance of a consummating order.

**APPROVED**