

P R O C E E D I N G S

CHAIRMAN BROWN: On to Item 3.

MS LHERISSON: Good morning, Commissioners.

Bianca Lherisson, Commission staff. The recommendation in Item 3 was filed by staff to resolve FPL's motion to dismiss Petitioners' amended complaint. Staff is recommending that the Commission grant FPL's motion to dismiss and dismiss Petitioners' amended complaint with prejudice because the amended complaint fails to demonstrate a cause of action upon which relief may be granted, and it fails to cure the deficiencies identified in Petitioners' initial complaint. Oral argument was not requested by either party, and counsel for FPL is present today and Petitioners are not present. Staff is available to answer any questions.

CHAIRMAN BROWN: Thank you so much. And this is the second time this item has come before us. Commissioners, are there any questions on it?

COMMISSIONER GRAHAM: Move staff.

COMMISSIONER EDGAR: Second.

CHAIRMAN BROWN: All those in favor, say aye.

(Vote taken.)

Okay. The motion passes. Thank you very much.

(Agenda item concluded.)

1 STATE OF FLORIDA)
2 COUNTY OF LEON) : CERTIFICATE OF REPORTER

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4 I, LINDA BOLES, CRR, RPR, Official Commission
5 Reporter, do hereby certify that the foregoing
6 proceeding was heard at the time and place herein
7 stated.

8 IT IS FURTHER CERTIFIED that I
9 stenographically reported the said proceedings; that the
10 same has been transcribed under my direct supervision;
11 and that this transcript constitutes a true
12 transcription of my notes of said proceedings.

13 I FURTHER CERTIFY that I am not a relative,
14 employee, attorney or counsel of any of the parties, nor
15 am I a relative or employee of any of the parties'
16 attorney or counsel connected with the action, nor am I
17 financially interested in the action.

18 DATED THIS 8th day of February, 2016.

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