VOTE SHEET

October 6, 2009

Docket No. 090009-EI - Nuclear cost recovery clause.

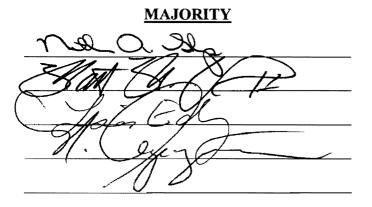
<u>Issue 1:</u> Should the Commission approve the request for a waiver of the filing deadlines of Rule 25-6.0423(5)(c)4, Florida Administrative Code, by Progress Energy Florida, Inc. and Florida Power and Light Company?

Recommendation: Yes, the Commission should approve the request for waiver of the filing deadlines of Rule 25-6.0423(5)(c)4, Florida Administrative Code.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES



REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

DISSENTING

10294 OCT-68

FPSC-COMMISSION CLERK

Vote Sheet October 6, 2009 Docket No. 090009-EI – Nuclear cost recovery clause.

(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: No. If no timely protest is received to the proposed agency action on PEF and FPL's request for waiver in Docket No. 090009-EI, the Order granting the rule waiver will become final upon the issuance of Consummating Order. Docket No. 090009-EI should remain open pending the Commission's decision on PEF and FPL's petitions in the NCRC.

APPROVED