

VOTE SHEET

DATE: February 18, 1992

RE: DOCKET NO. 911141-EU - Petition to resolve territorial dispute between OKEFENOKE RURAL ELECTRIC MEMBERSHIP CORPORATION and JACKSONVILLE ELECTRIC AUTHORITY.

Issue 1: Recommendation that the Commission grant Jacksonville Electric Authority (JEA) and Okefenoke Rural Electric Membership Corporation's (OREMC) request that the Commission take official notice of the Charter of the City of Jacksonville, the ordinances contained in the Jacksonville Code, sections 718.101, 718.102, and 718.103, and ch. 74-196, 1974 Fla. Laws 538.

APPROVED

Issue 2: Recommendation that the Commission grant OREMC's request for oral argument at agenda on JEA's motion to dismiss. Oral argument by the parties will contribute to the Commission's understanding of the issue it is called upon to resolve.

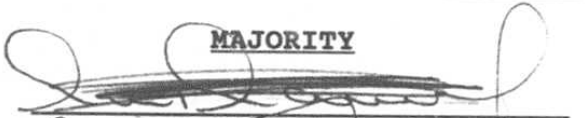
APPROVED

COMMISSIONERS ASSIGNED: DS CL

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING



 J. Terry Hear

 Susan S. Clark

REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90)

DOCUMENT NUMBER-DATE

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FPC-RECORDS/REPORTING

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Issue 3: Recommendation that the Commission should not dismiss the Petition to resolve the territorial dispute on the grounds that the area in dispute is not a "rural area" and therefore, OREMC, a rural electric cooperative, is not permitted to serve there. This issue is properly addressed at the hearing in this case, based on the evidence presented.

APPROVED

Issue 4: Recommendation that the Commission should not dismiss the Petition to resolve the territorial dispute on the grounds that the Commission does not have jurisdiction to resolve the dispute. The Legislature of the State of Florida has granted the Florida Public Service Commission the jurisdiction to approve territorial agreements and resolve territorial disputes between all electric utilities in the State of Florida. The Legislature has also vested jurisdiction in the Commission to protect and ensure the reliability of the state's energy grid, and to prevent

APPROVED

Issue 4: further uneconomic duplication of facilities. The Commission must exercise that jurisdiction in a manner that is consistent with the provision of section 366.04, F.S. cited by JEA, but that provision does not provide a jurisdictional exclusion for municipalities within their 1974 municipal boundaries.

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Issue 5: Recommendation that this docket remain open.

APPROVED