

VOTE SHEET

OCTOBER 16, 2001

RE: Docket No. 000824-EI - Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light. (Deferred from the October 2, 2001 Commission Conference.)

ISSUE 1: Should the parties be permitted to address the Commission concerning the Motion for Reconsideration?

RECOMMENDATION: No. The parties have extensively and ably argued the Motion for Reconsideration in the pleadings and at Oral Argument. Given the extensive prior argument on this Motion, there is no need for further comment by the parties.

DENIED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Michael H. Paley

[Signature]

[Signature]

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

13163 OCT 17 01

FPSC-COMMISSION CLERK

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(Continued from previous page)

ISSUE 2: Should Florida Power Corporation's Motion for Reconsideration of the requirement in Order No. PSC-01-1348-PCO-EI directing Florida Power Corporation to hold \$113,894,794 of annual revenue (beginning July 1, 2001) subject to refund, pending final disposition as part of the rate proceeding, be granted?

RECOMMENDATION: No. FPC has failed to demonstrate any mistake of fact or law which the Commission overlooked or failed to consider in rendering its Order. Therefore, the motion should be denied.

MODIFIED *These items would be placed subject to refund: Tiger Bay Regulatory Asset, one-time amortization of tax flow-through, and merger-related severance benefits. The CR 3 equity adjustment is not subject to refund. Tiger Bay can be adjusted at company's discretion*

ISSUE 3: Should this docket be closed? *on dollar-for-dollar basis.*

RECOMMENDATION: No. This docket should not be closed.

APPROVED