

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 3, 2003

RE: Docket No. 011333-EU - Petition of City of Bartow to modify territorial agreement or, in the alternative, to resolve territorial dispute with Tampa Electric Company in Polk County.

ISSUE 1: Should the Commission grant the City's Petition to modify the territorial agreement adjusting the current boundary lines to include all of the OFP development in the City's retail service area?

RECOMMENDATION: No. Only a minor boundary modification is necessary in this instance to ensure reliable electric service to protect the public interest. The new boundary should follow the primary entrance road into OFP, and then cross a conservation area. Within 60 days of the Commission vote in this matter, the parties should file a metes and bounds description of the new boundary through the OFP development, as well as a map delineating the modification to the service areas of TECO and Bartow.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Charles A. Dief
Maury Dief
John P. ...
J. Terry ...
Rudy Bradley

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04916 JUN-3 8

VOTE SHEET

JUNE 3, 2003

Docket No. 011333-EU - Petition of City of Bartow to modify territorial agreement or, in the alternative, to resolve territorial dispute with Tampa Electric Company in Polk County.

(Continued from previous page)

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. Upon expiration of the protest period, if a timely protest is not received from a substantially affected person, the decision should become final and effective upon the issuance of a Consummating Order. The docket should remain open to allow for the review of the pending territorial modification.

APPROVED