

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 30, 2003

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.

ISSUE 1: Should oral argument be permitted?

RECOMMENDATION: Yes. Each side should be permitted ten minutes to present oral argument with respect to the Motion in Limine and Motion to Strike.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER DATE

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(Continued from previous page)

ISSUE 2: Should the Motion to Strike be granted?

RECOMMENDATION: No. In light of PEFI's withdrawal of Javier Portuondo's Affidavit, the Motion to Strike is moot.

**APPROVED**

ISSUE 3: Should the Motion in Limine be granted?

RECOMMENDATION: No. To the extent the Motion in Limine seeks to exclude the affidavit of Mr. Portuondo, the June 13, 2003, Notice of Withdrawal renders that portion of the Motion in Limine moot. The remainder of the Motion in Limine should be denied on the merits.

**DENIED**

*The Motion in Limine is granted to include the agreement, the order, and the transcript of the agenda conference that memorializes the order.*

ISSUE 4: Should the docket be closed?

RECOMMENDATION: No. The docket should remain open pending final disposition of this matter.

**APPROVED**

*Additionally, the Attorney General's Motion for Discovery was denied without prejudice.*

*The Commission acknowledged Sugarmill Woods' withdrawal of its 6/27/03 motion.*