

VOTE SHEET

SEPTEMBER 16, 2003

RE: Docket No. 020404-EQ - Petition for approval of plan to share risks of Bay County qualifying facility contract modification by Florida Power Corporation. (Deferred from September 3, 2002 conference; revised recommendation filed.)

ISSUE 1: Should the Commission acknowledge Progress Energy's Notice of Voluntary Withdrawal of its Petition for Approval of its Plan to Share the Risks of the Bay County Contract Modification?

RECOMMENDATION: Yes. The unusual nature of the original Bay County contract does not lend itself to the application of a sharing plan which equitably shares the risks among ratepayers and shareholders. Acknowledging Progress Energy's Notice of Voluntary Withdrawal does not preclude Progress Energy from filing sharing plan proposals with future cogeneration contract restructurings.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08770 SEP 16 03

FPSD-... CLERK

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. This docket should be closed after the time for filing an appeal has expired.

APPROVED