

VOTE SHEET

March 7, 2006

Docket No. 040133-EU – Petition of Withlacoochee River Electric Cooperative, Inc. to modify territorial agreement or, in the alternative, to resolve territorial dispute with Progress Energy Florida, Inc. in Hernando County.

Issue 1: Should the Commission grant Withlacoochee’s and Progress’s second joint petition to approve their amended and consolidated territorial agreement and implement the second phase of their settlement?

Recommendation: Yes. The proposed territorial agreement and settlement implementation is in the public interest and the Commission should approve it. The Commission should direct the parties to file status reports on the transfer of customers every six months until the transfers are complete.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina G. Jew
[Signature]
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01953 MAR-7 8

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Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose interests are substantially affected timely files a protest to the Commission's proposed agency action order, this docket should be closed upon issuance of a consummating order.

APPROVED