

VOTE SHEET

November 21, 2006

Docket No. 060664-EQ – Joint petition for approval of modification to negotiated power purchase contract for purchase of firm capacity and energy from qualifying facility between Mulberry Energy Company, Inc. and Florida Power Corporation dated March 12, 1991, by Progress Energy Florida, Inc. and Polk Power Partners, L.P.

Docket No. 060665-EQ – Joint petition for approval of modification to negotiated power purchase contract for purchase of firm capacity and energy from qualifying facility between Royster Phosphates, Inc. and Florida Power Corporation dated March 11, 1991, by Progress Energy Florida, Inc. and Polk Power Partners, L.P.

Docket No. 060666-EQ – Joint petition for approval of modification to negotiated power purchase contract for purchase of firm capacity and energy from qualifying facility between CFR Biogen Corporation and Florida Power Corporation dated November 19, 1991, by Orange Cogeneration, L.P. and Progress Energy Florida, Inc.

Issue 1: Should the Commission approve the petitions submitted by Progress Energy Florida, Inc. (PEF) together with Polk Power Partners, L.P. (Polk) and Orange Cogeneration, L.P. (Orange) requesting approval of a modification to the currently approved purchased power contracts between the parties?

Recommendation: Yes. By approving the requests, a modification will be added to each contract to specify parameters with respect to possible errors in future payments. With the proposed modification included, the contracts will continue to be in compliance with provisions of Rules 25-17.082, 25-17.0832, and 25-17.0836 Florida Administrative Code (F.A.C.). No changes to payments are being proposed.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Katrina J. Jew

[Signature]

[Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10680 NOV 21 06

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Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED