

VOTE SHEET

March 18, 2008

Docket No. 070234-EQ – Petition for approval of renewable energy tariff standard offer contract, by Florida Power & Light Company.

Docket No. 070235-EQ – Petition for approval of standard offer contract for purchase of firm capacity and energy from renewable energy producer or qualifying facility less than 100 kW tariff, by Progress Energy Florida, Inc.

Issue 1: Should the Commission dismiss FICA's protest of PAA Order No. PSC-07-0492-TRF-EQ?

Recommendation: Yes, the Commission should dismiss FICA's protest of PAA Order No. PSC-07-0492-TRF-EQ. Order No. PSC-07-0492-TRF-EQ approving FPL's standard offer contract and associated tariffs should be revived, deemed final and effective, and Docket No. 070234-EQ should be closed. Consistent with Rule 25-22.039, F.A.C., and past Commission practice, by virtue of the protest withdrawal, Wheelabrator's Petition to Intervene and Motion to hold Docket No. 070234-EQ in abeyance should be deemed moot, and therefore need not be ruled upon.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on lines.

Empty lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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**Issue 2:** Should the docket be closed?

**Recommendation:** Yes. If the Commission approves staff's recommendation in Issue 1, Docket No. 070234-EQ should be closed. Docket No. 070235-EQ should remain open to address the protest which has been filed as to that docket.

**APPROVED**