

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 30, 1999

RE: DOCKET NO. 980693-EI - Petition by Tampa Electric Company for approval of cost recovery for a new environmental program, the Big Bend Units 1 & 2 Flue Gas Desulfurization System.

Issue 1: Should FIPUG and OPC's motions for reconsideration be granted?
Recommendation: No. FIPUG and OPC's motions for reconsideration should not be granted. These motions raise two issues already disposed of in this proceeding, the choice of statute and the sufficiency of the evidence. OPC and FIPUG's argument that TECO must proceed under Section 366.825, Florida Statutes, rather than Section 366.8255, Florida Statutes, has been considered and rejected by the Commission. OPC and FIPUG raised this argument in their motions to dismiss, which were denied by Order No. PSC-98-1260-PCO-EI, issued September 22, 1998. The Commission's decision concerning fuel savings is supported by competent substantial evidence. Therefore, the motions for reconsideration should be denied.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

S. L. ...
Susan H. Clark
...
A. ...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NO. DATE

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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 run.

APPROVED