

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 30, 1998

RE: DOCKET NO. 980283-EQ - Petition by Florida Power Corporation for declaratory statement that Commission's approval of Negotiated Contract for Purchase of Firm Capacity and Energy between FPC and Metropolitan Dade County in Order No. 24734, together with Orders Nos. PSC-97-1437-FOF-EQ and 24989, PURPA, Florida Statute 366.051, and Rule 25-17.082, F.A.C., establish that energy payments thereunder, including when firm or as-available payment is due, are limited to analysis of avoided costs based upon avoided unit's contractually-specified characteristics.

Issue 1: Should the Commission grant Dade's request for oral argument? Recommendation: Yes. Oral argument should be granted.

DEFERRED

Issue 2: Should the Commission grant FPC's declaratory petition? Recommendation: Yes. The Commission should grant FPC's Petition for Declaratory Statement.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Blank lines for signatures under MAJORITY and DISSENTING columns.

REMARKS/DISSENTING COMMENTS: Commissioner Garcia participated by telephone. He concurred \_\_\_/dissented \_\_\_ in the majority vote and will sign the vote sheet upon his return to Tallahassee.

To the 8/4/98 Commission Conference

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Issue 3: Should the Commission grant Dade's Motion to Dismiss?

Recommendation: No. The Motion to Dismiss should be denied.

Issue 4: Should this docket be closed?

Recommendation: Yes.