

VOTE SHEET

OCTOBER 6, 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. (Deferred from the September 22, 1998 Commission Conference)

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

APPROVED

Oral argument is to be limited to ten minutes per speaker. Commissioner Garcia dissented.

On the Commission's own motion, oral argument is limited to parties only. Commissioner Garcia dissented.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column: Susan Clark, Jerry Dean, Joe Garcia]

[Handwritten signatures in dissenting column: Joe Garcia (1)]

DOCUMENT NUMBER-DATE
11269 OCT 12 88
FPC-RECORDS/REPORTING

REMARKS/DISSENTING COMMENTS:

*Commissioner Garcia dissented on clause 1
Commissioners Johnson and Deason dissented on clause 2.*

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Issue 2: Should the Commission grant FPC's Declaratory Petition?

Recommendation: Yes, the Commission should grant FPC's Petition for Declaratory Statement.

DENIED

Commissioners Johnson and Deason dissented.

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

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

Based on decision in Issue 2, this issue is moot.

Issue 4: Should this docket be closed?

Recommendation: Yes.

APPROVED