

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MAY 4, 1999

RE: DOCKET NO. 990172-EI - Petition by Gulf Power Company for waiver of Rule 25-17.0832(4), F.A.C., which sets forth requirements for filing of a standard offer contract.

Issue 1: Should the Commission grant Gulf Power Company's petition for waiver of Rule 25-17.0832(4), Florida Administrative Code?

Recommendation: No. The Commission should deny Gulf Power Company's petition for waiver of Rule 25-17.0832(4), Florida Administrative Code, because the petition does not satisfy the statutory criteria for a rule waiver. The Commission should require Gulf to submit a standard offer contract, consistent with Rule 25-17.0832, Florida Administrative Code, based on a 2002 combined cycle unit with an open solicitation period of two weeks.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

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(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: A consummating order should be issued, and this docket should be closed if no person whose substantial interests are affected by the proposed action files a protest within the 21-day protest period.

APPROVED