

VOTE SHEET

JUNE 6, 2000

RE: DOCKET NO. 000184-EQ - Petition by Florida Power Corporation, Miami-Dade County, and Montenay-Dade, Ltd. for approval of settlement agreement, for confirmation that negotiated contract continues to qualify fully for cost recovery, and to allow Florida Power Corporation cost recovery of historic settlement payment made to Dade County pursuant to settlement agreement.

Issue 1: Should the Negotiated Contract, as modified by the Settlement Agreement between Florida Power Corporation, Miami Dade County and Montenay-Dade, Ltd., be approved for cost recovery?

Recommendation: Yes. The amended energy pricing provisions closely approximate avoided cost. Approval of the Settlement Agreement mitigates the risks associated with the uncertainty of civil litigation which could result in significantly higher cost to FPC's ratepayers.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column: A. Garcia, Susan J. Clark, J. Terry Wagan, and two other illegible signatures.

Empty lines in the dissenting column.

REMARKS/DISSENTING COMMENTS: Chairman Garcia participated in the conference via video teleconference. He agreed with ~~dissenting from~~ the majority vote and will sign the vote sheet upon return to Tallahassee.

DOCUMENT NUMBER-DATE

07140 JUN 12 8

FPSC-RECORDS/REPORTING

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Issue 2: If approved, how should the settlement payment and revised energy payments pursuant to the Settlement Agreement be recovered from FPC's ratepayers?

Recommendation: The energy settlement payment of \$2,262,868.10 and the ongoing energy payments made pursuant to the Settlement Agreement should be recovered through the Fuel and Purchased Power Cost Recovery (Fuel) Clause. The recovery of payments made prior to their inclusion for recovery through the adjustment clauses should include interest from the date the payments were made. Should the Settlement Agreement not be approved, any necessary adjustments to the Fuel Clause to reflect the method of pricing energy under the Contract prior to the Settlement Agreement should be made at the next Fuel Adjustment hearing.

**APPROVED**

Issue 3: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the Commission's proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon issuance of a Consummating Order.

**APPROVED**