

VOTE SHEET

JUNE 20, 2000

RE: DOCKET NO. 000612-EU - Petition for determination of need for an electrical power plant in St. Lucie County by Duke Energy St. Lucie, L.L.C.

Issue 1: Should the Commission hold Docket No. 000612-EU in abeyance pending the Florida Supreme Court's final decision in Tampa Electric Co., et al. V. Garcia, et al., Case Nos. SC95444, SC95445, SC95446 (Duke-New Smyrna)?

Recommendation: Yes. The petition for need determination in Docket No. 000612-EU should be held in abeyance until the Court issues a final decision in the Duke-New Smyrna case.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should Docket No. 000612-EU be closed?

Recommendation: No. This docket should remain open pending the Florida Supreme Court's final decision in the Duke-New Smyrna case.

APPROVED