

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 5, 2000

RE: DOCKET NO. 000685-EI - Petition of Tampa Electric Company for approval of a new environmental program for cost recovery through the environmental cost recovery clause.

Issue 1: Is Tampa Electric Company's Big Bend 1, 2, and 3 Flue Gas Desulfurization System Optimization and Utilization Program eligible for cost recovery through the Environmental Cost Recovery Clause?

Recommendation: Yes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Mat. Jabe (Issues 1 & 3)
J. Terry
Mintels

Mat. Jabe (Issue 2)

REMARKS/DISSENTING COMMENTS:

Commissioner Jabe dissented on issue 2.

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Issue 2: Should costs incurred prior to June 2, 2000, the date TECO filed its petition, be recovered through the ECRC, pursuant to Order No. PSC-94-1207-FOF-EI?

Recommendation: No. Section 366.8255(2), Florida Statutes, only allows for recovery of prospective costs. In addition, TECO was not subjected to "extraordinary circumstances" as defined in Order No. PSC-94-1207-FOF-EI. However, TECO may include the costs incurred prior to June 2, 2000, in its surveillance reports.

DENIED

Commissioner Faber dissented

Issue 3: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

APPROVED