

VOTE SHEET

MAY 1, 2001

RE: Petitions for determination of need for electrical power plants.

- DOCKET NO. 000288-EU - Panda Leesburg Power Partners, L.P.
- DOCKET NO. 000289-EU - Panda Midway Power Partners, L.P.
- DOCKET NO. 000612-EU - Duke Energy St. Lucie, L.L.C.
- DOCKET NO. 991462-EI - Okeechobee Generating Company, L.L.C.

ISSUE 1: Should the Commission grant Panda Leesburg, Panda Midway, and Duke's Joint Motion to Continue Abatement in Docket Nos. 000288-EU, 000289-EU, 000612-EU?

RECOMMENDATION: Yes. The motion for continued abatement should be granted. In the event that no new legislation is passed which gives merchant plants applicant status under Section 403.519, Florida Statutes, staff recommends that the Commission allow these dockets to be administratively closed.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signature: Stephen A. Palush]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05428 MAY-1 01

FPSC-PUBLIC RECORDS/REPORTING

VOTE SHEET

MAY 1, 2001

Petitions for determination of need for electrical power plants.

(Continued from previous page)

ISSUE 2: Should Docket No. 991462-EI be held in abeyance until the end of the 2001 Regular Legislative Session?

RECOMMENDATION: Yes. The Commission should hold Docket No. 991462-EI in abeyance until the end of the 2001 Regular Legislative Session. In addition, staff recommends that this docket should be closed administratively in the event that no new legislation is passed which gives merchant plants applicant status under Section 403.159, Florida Statutes.

APPROVED

ISSUE 3: Should these dockets be closed?

RECOMMENDATION: No. These dockets should remain open pending the outcome of the 2001 Regular Legislative Session.

APPROVED