

VOTE SHEET

MARCH 5, 2002

RE: Docket No. 011365-EQ - Petition for approval of amendment to cogeneration contract with Bay County Resource Recovery Facility by Florida Power Corporation. (Deferred from January 8, 2002 conference; revised recommendation filed.)

ISSUE 1: Should Florida Power Corporation's petition for approval of an amendment to the purchased power contract with the Bay County Resource Recovery Facility be approved?

RECOMMENDATION: No. The amendment will: 1) Increase ratepayer costs by \$610,000, immediately, in exchange for estimated benefits that do not occur until 2007; 2) Remove the benefit of zero capacity payments for firm energy from 2013 through 2022; 3) Immediately eliminate Bay County's contingent liability, currently valued at \$21.1 million, which was designed to reimburse ratepayers for early capacity payments in the event Bay County did not perform; and, 4) Expose ratepayers to the uncertainties of the wholesale market from 2007 through 2022. Given these facts, the expected

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

**WITHDRAWN**

DOCUMENT NUMBER-DATE

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benefits, which are based on replacement power cost estimates through 2022, are not large enough to provide ratepayers with reasonable assurances that savings will actually materialize.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if no protest is filed within 21 days of the issuance of the order.