

VOTE SHEET

MARCH 19, 2002

RE: Docket No. 011365-EQ - Petition for approval of amendment to cogeneration contract with Bay County Resource Recovery Facility by Florida Power Corporation. (Recommendation withdrawn from March 5, 2002 agenda; revised recommendation filed.)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: Yes. The contract costs are currently above market costs and are expected to remain above market until 2013. The revised amendments will allow FPC to replace the contract's above market priced capacity in 2007. The revised amendment retains Bay County's contingent liability until the proposed contract termination date. This is consistent with the intent of Commission Order No. 19509, which guaranteed any payments from Bay County's contingent liability to FPC's ratepayers to compensate ratepayers for early capacity payments made to Bay County. The \$610,000 payment to Bay County should be recovered by FPC through the fuel and purchased power cost recovery clause.

**MODIFIED**

*The buy-out contract was approved. The company is to consider a sharing mechanism in this docket and respond to the Commission in writing within 30 days.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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ISSUE 2: Should this docket be closed?

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

**APPROVED**