

VOTE SHEET

MAY 6, 2003

RE: Docket No. 030159-EU - Petition by City of Parker for declaratory statement concerning City's application of its Comprehensive Plan, Land Development Regulations, and City Codes and Ordinances to Gulf Power Company's proposed aerial power transmission line planned to travel from private property located within the City, crossing the shoreline of the City, and running across St. Andrew Bay.

ISSUE 1: Should the Commission grant Gulf Power Company's Request for Oral Argument to Address the Commission at Agenda and/or Section 120.57(2) Hearing?

RECOMMENDATION: The Commission should allow the parties to make oral presentations at the agenda conference on the merits of the Petition for Declaratory Statement and Response in Opposition. Oral presentations should not be made for the Motion to Dismiss. Oral presentations should be limited to 10 minutes per side.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Handwritten signatures of majority commissioners:*  
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REMARKS/DISSENTING COMMENTS:

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ISSUE 2: Should the Commission grant Gulf Power Company's Motion to Dismiss?

RECOMMENDATION: No. The Motion to Dismiss should be denied because the question presented is appropriate for resolution through a declaratory statement.

**APPROVED**

ISSUE 3: How should the Commission answer the question presented by the City of Parker in its Petition for Declaratory Statement?

RECOMMENDATION: The Commission should find that its authority preempts the City of Parker's application of its Comprehensive Plan, Land Development Regulations, and City Codes and Ordinances, with respect to Gulf Power Company's proposed transmission line.

**APPROVED**

*The Commission has statutory authority to assure that service is provided in a reliable and cost-effective manner. With respect to resolving the issue of whether Gulf's proposed transmission line within the City of Parker should be arial or underground, the jurisdiction of the Commission preempts the City of Parker's jurisdiction.*

ISSUE 4: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission disposes of the Petition for Declaratory Statement the docket should be closed.

**APPROVED**