



Public Service Commission

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COMMISSION
CLERK

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DATE: SEPTEMBER 25, 2003

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES (BAYO)

FROM: DIVISION OF ECONOMIC REGULATION (SICKEL, BAXTER, HAFF)
OFFICE OF THE GENERAL COUNSEL (Vining)

Handwritten notes: JES, DW, JDS, 222, MONT ON, JOY, AEV

RE: DOCKET NO. 030866-EQ - PETITION FOR APPROVAL OF STANDARD
OFFER CONTRACT BASED ON 2007 COMBINED CYCLE AVOIDED UNIT
AND ACCOMPANYING RATE SCHEDULE COG-2, AND FOR WAIVER OF
RULE 25-17.0832(4)(E)5, F.A.C., BY PROGRESS ENERGY
FLORIDA, INC.

AGENDA: 10/07/2003 - REGULAR AGENDA TARIFF FILING - INTERESTED
PERSONS MAY PARTICIPATE

CRITICAL DATES: 60-DAY SUSPENSION DATE: OCTOBER 24, 2003

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\ECR\WP\030866.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission suspend proposed tariff revisions
which were filed by Progress Energy Florida, Inc. (Progress) as
part of the company's petition for approval of its new Standard
Offer Contract?

RECOMMENDATION: Yes. The Commission should suspend the tariff
revisions proposed by Progress in the Standard Offer Contract.
(Sickel, Haff, Baxter)

DOCKET NO. 030866-EQ

DATE: September 25, 2003

STAFF ANALYSIS: Pursuant to Rule 25-17.0832, Florida Administrative Code, Progress filed a petition on August 27, 2003, for approval of a new Standard Offer Contract and tariffs. Staff is recommending that the tariffs be suspended to allow sufficient time to review and analyze the petition, and conduct discovery if necessary.

Pursuant to Section 366.06(3), Florida Statutes, the Commission may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase, within 60 days, a reason or written statement of good cause for doing so. Staff believes that the reason stated above is good cause, consistent with the requirement of Section 366.06(3), Florida Statutes.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. The docket should remain open pending a final decision on the petition. (Vining)

STAFF ANALYSIS: The docket should remain open pending a final decision on the petition.