

VOTE SHEET

SEPTEMBER 30, 2003

RE: Docket No. 030884-EU - Objections to Florida Power & Light Company's 2003 request for proposals filed August 25, 2003, by Florida Partnership for Affordable Competitive Energy (PACE) and some individual member companies.

ISSUE 1: Should the Commission grant FPL's Motion to Exclude PACE from Bid Rule Objection Process?

RECOMMENDATION: No. Allowing PACE to participate in the objection process is consistent with the intent of the Bid Rule and will potentially avoid a more resource-consuming, formal dispute over the same objections during FPL's upcoming need determination proceeding. PACE is in a unique position to state the concerns of independent power producers under this process in an efficient manner.

NO VOTE

The Commissioners acknowledged FPL's withdrawal of its motion.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09437 OCT-18

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ISSUE 2: Do PACE's Objections to FPL's Request for Proposals indicate a violation of any portion of Rule 25-22.082, Florida Administrative Code?
RECOMMENDATION: No. PACE's Objections do not indicate that FPL's Request for Proposals violates any provision of Rule 25-22.082, Florida Administrative Code. Of the fourteen specific objections cited by PACE, three are inappropriate, two have been resolved by FPL's actions taken subsequent to PACE's filing, and nine do not appear to violate any provision of Rule 25-22.082, Florida Administrative Code.

APPROVED

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. The docket to address objections to FPL's Request for Proposals on a preliminary basis pursuant to Rule 25-22.082(12), Florida Administrative Code, should be closed.

APPROVED

*with the understanding
no order will be issued.*