

VOTE SHEET

NOVEMBER 3, 2003

RE: Docket No. 030711-EI - Petition of Progress Energy Florida, Inc. for approval of new environmental programs for cost recovery through environmental cost recovery clause. (Deferred from October 7, 2003 conference; revised recommendation filed.)

ISSUE 1: Should the Commission approve Progress Energy Florida, Inc.'s (PEF) petition for the Pipeline Integrity Management ("PIM") project as a new activity for cost recovery through the ECRC?

RECOMMENDATION: Yes. The PIM program is required to comply with Regulation 49 CFR Part 195, as amended on February 15, 2002. The resultant environmental compliance costs are incremental to PEF's base rates because the requirements of 49 CFR Part 195 did not affect PEF prior to the company's 2002 rate case (Docket No. 000824-EI).

WITHDRAWN

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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ISSUE 2: Should the Commission approve Progress Energy Florida, Inc.'s petition for the Aboveground Storage Tank Secondary Containment ("ASTSC") project as a new activity for cost recovery through the ECRC?

RECOMMENDATION: Yes. PEF should be allowed to recover the costs incurred for the installation of or upgrades to secondary containment for field-erected aboveground storage tank systems as required by the 1998 amendments incorporated into Rule 62-761.510 (Table AST, Keynotes W and U), Florida Administrative Code.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action.