

VOTE SHEET

NOVEMBER 3, 2003

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.

ISSUE 1: Should the Commission grant Progress Energy Florida's petition for a waiver of the requirement in Rule 25-17.0832(4)(e)5, Florida Administrative Code, that the open solicitation period for a utility's standard offer contract must terminate prior to its issuance of a notice of Request for Proposal (RFP) based on the standard offer contract's avoided unit?

RECOMMENDATION: Yes. Progress has demonstrated that the purpose of the underlying statute will be met, and that strict adherence to the closure provision of the standard offer contract would create a substantial hardship for Progress and its customers.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Cheryl M. Drost, [unclear], [unclear], J. Tom Deason, and Judy Bradley.

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
10935 NOV-3 8
FPSC-COMMISSION CLERK

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(Continued from previous page)

ISSUE 2: Should Progress Energy Florida's petition for approval of a new Standard Offer Contract, based upon a combined cycle unit with a scheduled in-service date of December 2007, be approved?

RECOMMENDATION: Yes. The Standard Offer Contract submitted by Progress complies with Rule 25-17.0832, Florida Administrative Code.

APPROVED

ISSUE 3: On what date should the Standard Offer Contract proposed by Progress become effective?

RECOMMENDATION: Progress's proposed standard offer contract should become effective upon the issuance of a consummating order if there is no timely protest filed.

APPROVED

ISSUE 4: Should this docket be closed?

RECOMMENDATION: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED