

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 20, 2004

RE: Docket No. 031017-EU - Request for declaratory statement by Tampa Electric Company regarding territorial dispute with City of Bartow in Polk County.

ISSUE 1: Should the City of Bartow's amended Motion to Dismiss or Abate be granted?

RECOMMENDATION: Yes. Because there is no current dispute, the Amended Motion to Dismiss or Abate should be granted.

APPROVED

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission votes to dispose of the petition for declaratory statement, the docket should be closed.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of four horizontal lines.

Four horizontal lines for dissenting signatures, currently blank.

REMARKS/DISSENTING COMMENTS:

Commissioner Jaber participated in the conference by telephone. She agreed with/dissented from the majority vote and will sign the vote sheet upon return to the office.

DOCUMENT NUMBER-DATE

00867 JAN 21 04