

VOTE SHEET

FEBRUARY 17, 2004

RE: Docket No. 031093-EQ - Petition for approval of revised standard offer contract and revised COG-2 rate schedule by Florida Power & Light Company.

ISSUE 1: Should FPL's petition for approval of a new Standard Offer Contract, based upon a combined cycle unit with an in-service date of June 1, 2007, be approved?

RECOMMENDATION: No. The Standard Offer Contract includes a claim to the rights to any environmental benefits associated with the QF. Staff believes this term is unreasonable. Therefore, the Standard Offer Contract and associated tariffs should not be approved as filed.

APPROVED

Staff's recommendation was approved with the understanding

FPL will refile its standard offer contract with the TREC language removed, and staff will

be given authority to administratively approve the revised filing.

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- DTR \_\_\_\_\_
- ECR \_\_\_\_\_
- SCL \_\_\_\_\_
- DPC \_\_\_\_\_
- JMS \_\_\_\_\_
- SEC \_\_\_\_\_
- DTH \_\_\_\_\_

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Handwritten signatures in majority column:*  
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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

02310 FEB 18 04

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ISSUE 2: On what date should FPL's proposed Standard Offer Contract become effective?

RECOMMENDATION: If the Commission denies the staff recommendation on Issue 1, FPL's proposed Standard Offer Contract should become effective ten days after the issuance of a consummating order if there is no timely protest filed. FPL's two-week open solicitation period should begin ten days after the date of issuance of the consummating order.

**APPROVED** *consistent with decision in Issue 1*

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order.

**APPROVED** *consistent with decision in Issue 1*