

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 30, 2004

RE: Docket No. 011333-EU - Petition of City of Bartow to modify territorial agreement or, in the alternative, to resolve territorial dispute with Tampa Electric Company in Polk County.

Issue 1: Should the Commission acknowledge Bartow's voluntary dismissal of its petition, and if so, what effect does the dismissal have on Proposed Agency Action Order No. PSC-03-0739-PAA-EU?

Recommendation: Yes. The Commission should acknowledge Bartow's voluntary dismissal of its petition as a matter of right. The effect of the voluntary dismissal is to divest the Commission of further jurisdiction over this matter, rendering Proposed Agency Action Order No. PSC-03-0739-PAA-EU a nullity.

Issue 2: Should this docket be closed?

Recommendation: Yes.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures: James H. Darr, J. Jaber, J. Jaber, J. Jaber, J. Jaber]*

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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.