

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MAY 3, 2004

RE: Docket No. 040176-EU - Joint petition for approval of amendment to territorial boundary line in Commission-approved territorial agreement in Osceola County, by Kissimmee Utility Authority and Progress Energy Florida, Inc.

Issue 1: Should the Commission approve the joint petition for approval of Amendment to the 1992 Territorial Agreement?

Recommendation: Yes. The Amendment is in the public interest and should be approved, effective upon the issuance of a Consummating Order finalizing the Commission's decision.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Charles Davidson, Matthew B... (partially obscured), Jim... (partially obscured), and Fred... (partially obscured).

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

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

DOCUMENT NUMBER DATE

05211 MAY-5 04

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Issue 2: Should this docket be closed?

Recommendation: Yes. If no protest is filed, this docket should be closed upon the issuance of a Consummating Order. If a protest is filed by a person whose substantial interests are affected within 21 days of the Commission Order approving this amendment, the docket should remain open.

APPROVED