

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 21, 2004

RE: Docket No. 040733-SU - Disposition of gain on sale of land held for future use in Marion County by BFF Corp. (Deferred from September 7, 2004 conference.)

Issue 1: Should BFF Corp.'s proposed settlement for the disposition of the gain on the sale of the land be approved?

Recommendation: Yes. The utility's proposed settlement should be approved as discussed in the analysis portion of staff's August 26, 2004 memorandum. The utility's revised tariff sheets filed on July 15, 2004 should be approved as filed. The tariff sheets should be implemented on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475(1), Florida Administrative Code, provided the customers have received notice.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Chuck M. Dwyer, Heather [unclear], Jerry [unclear], and Rudy Bradley.

Blank lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER - DATE

10197 SEP 21 04

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(Continued from previous page)

Issue 2: Should the Commission order BFF Corp to show cause, in writing within 21 days, why it should not be fined for its apparent violation of Order No. PSC-02-0487-PAA-SU?

Recommendation: No. A show cause proceeding should not be initiated.

APPROVED

Issue 3: Should the 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