

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 7, 2004

RE: Docket No. 040792-EI - Request to exclude 4/11-12/04 outage event from annual distribution service reliability report by Progress Energy Florida, Inc.

Issue 1: Should the Commission grant Progress Energy Florida, Inc.'s petition for waiver of the 30-day filing requirement in Rule 25-6.0455(3), Florida Administrative Code?

Recommendation: Yes. Progress Energy Florida, Inc. has demonstrated that the waiver it requests will achieve the purpose of the statutes underlying the rule and that application of the rule would create a substantial hardship for the company.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

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(Continued from previous page)

Issue 2: Should the Commission grant Progress Energy Florida, Inc.'s request to exclude the outage events caused by a severe weather system on April 11 and 12, 2004, from the company's 2004 Annual Distribution Service Reliability Report?

Recommendation: Yes. Based on Progress Energy Florida, Inc.'s revised position that it seeks to exclude only the outages that were caused by the weather event, with the revised impact on the company's System Average Interruption Duration Index of 2.73 minutes, this severe weather event qualifies for exclusion under Rule 25-6.0455(3). Progress Energy Florida should file its 2004 Annual Distribution Service Reliability Report with and without the requested exclusion. (This issue is moot if the Commission denies the petition for waiver on Issue 1.)

APPROVED

Issue 3: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action.

APPROVED