

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 1, 2005

RE: Docket No. 031033-EI - Review of Tampa Electric Company's 2004-2008 waterborne transportation contract with TECO Transport and associated benchmark.

Issue 1: Should the Commission grant Tampa Electric Company's request for oral argument?

Recommendation: Yes. Oral argument may aid the Commission in its understanding and disposition of the underlying motion.

APPROVED

COMMISSIONERS ASSIGNED: Baez, Deason, Bradley, Davidson

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners: Bradley, Deason, Baez, Davidson]

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02094 MAR-1 05

FPSC-COMMISSION CLERK

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MARCH 1, 2005

Docket No. 031033-EI - Review of Tampa Electric Company's 2004-2008 waterborne transportation contract with TECO Transport and associated benchmark.

(Continued from previous page)

Issue 2: Should the Commission grant Tampa Electric Company's motion for reconsideration and/or clarification of Order No. PSC-04-0999-FOF-EI?

Recommendation: No. In its request for reconsideration, Tampa Electric does not identify a point of fact or law that the Commission overlooked or failed to consider in rendering its Final Order. Further, Tampa Electric's request for reconsideration improperly asks the Commission to reweigh the evidence considered by the Commission in rendering its Final Order. Tampa Electric's request for clarification should be denied because it asks the Commission to make findings inconsistent with the Commission's decision and clear intent.

APPROVED

Issue 3: Should the Commission grant Tampa Electric Company's request for official recognition and motion to reopen record?

Recommendation: No.

APPROVED

Issue 4: Should the Commission grant CSX Transportation's motion for clarification of Order No. PSC-04-0999-FOF-EI?

Recommendation: Yes.

APPROVED

Issue 5: Should this docket be closed?

Recommendation: The docket should be closed after the time for filing an appeal has run.

APPROVED