

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 19, 2005

RE: Docket No. 050117-EI - Petition to relieve Progress Energy Florida, Inc. of the statutory obligation to provide electrical service to certain customers within the City of Winter Park, pursuant to Section 366.03 and 366.04, F.S.

Issue 1: Should the Commission relieve Progress of its obligation to provide retail electric service within the area to be served by Winter Park's municipal utility?

Recommendation: Yes. The Commission should relieve Progress of its obligation to provide electric service in the area that will be served by the new municipal utility, effective June 1, 2005, or at such later date that Winter Park begins operation of the new utility. Progress should inform the Commission if the transfer will not take place on June 1st, and inform the Commission when the transfer does take place. Progress should continue to pursue a territorial agreement with Winter Park to govern their future relationship.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

John E. ...
Richard Bradley
Martin ...
J. James ...
Clark M. ...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER: 03815
DATE: APR 19 05

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Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected has timely filed a protest to the Commission's Proposed Agency Action Order, a Consummating Order should be issued making the PAA Order final. The docket should remain open, however, until Progress files a notice with the Commission that the intended transfer has taken place. When the notice is filed the docket should be closed administratively.

APPROVED