

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 20, 2005

RE: **Docket No. 050316-EI** - Petition for approval of integrated Clean Air Regulatory Compliance Program for cost recovery through Environmental Cost Recovery Clause, by Progress Energy Florida, Inc.

Issue 1: Should the Commission approve PEF's petition for recovery of implementing its Integrated Clean Air Regulatory Compliance Program as a new activity for cost recovery through the Environmental Cost Recovery Clause?

Recommendation: Yes, conditionally. Costs for Phase I Clean Air Interstate Rule (CAIR) and Clean Air Mercury Rule (CAMR) compliance activities are eligible for recovery through the ECRC and any prudently incurred costs are appropriate for recovery through the ECRC. It is premature to address recovery of PEF's costs to comply with Phase II of CAIR and CAMR because PEF has not identified any such costs. If the new EPA rules are stayed, PEF should submit a copy of the stay to the Commission within two weeks of its issuance.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08887 SEP 20 05

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Issue 2: 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.