

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request for approval of contract with a
qualifying facility for purchase of firm capacity
and energy between Florida Power Corporation
d/b/a Progress Energy Florida, Inc. and Florida
Biomass Energy Group, L.L.C.

DOCKET NO. 060387-EQ
ORDER NO. PSC-06-0864-CO-EQ
ISSUED: October 18, 2006

CONSUMMATING ORDER


BY THE COMMISSION:

By Order No. PSC-06-0743-PAA-EQ, issued September 1, 2006, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. Dan Hendrickson, Ben Fusaro, Karen Orr, Dick Stokes, Brian Scherf, Ashlie Hood, Dave McSherry, Winne Foster, Betsy Roberts, Lee McSherry and December McSherry filed a Petition and an Amended Petition to Protest Order No. PSC-06-0743-PAA-EQ on September 22, 2006, and on September 28, 2006, respectively. Thereafter, on October 12, 2006, those same individuals filed a Notice of Voluntary Dismissal, with Prejudice, of Petition and Amended Petition to Protest Commission Action. In consideration of the fact that the protest to Order No. PSC-06-0743-PAA-EQ has been resolved, it is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-06-0743-PAA-EQ has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 18th day of October, 2006.


BLANCA S. BAYO, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

MCB

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.