

VOTE SHEET

January 9, 2007

Docket No. 060555-EI – Proposed amendments to Rule 25-17.0832, F.A.C., Firm Capacity and Energy Contracts.

Issue 1: Should the Commission adopt new Chapter 25-17, Part IV, F.A.C., Utilities' Obligations with Regard to Renewable Generating Facilities and amend Chapter 25-17, Part III, Rule 25-17.0832, F.A.C., Firm Capacity and Energy Contracts?

Recommendation: Yes. A separate part to Section 25-17, F.A.C., regarding renewable generation will provide clarity and address the unique characteristics of renewable generators. The new Part IV would be comprised of 12 new rules, 25-17.200 through 25-17.310, F.A.C.

Proposed Part IV would: 1) require investor-owned utilities to continuously offer standard contracts based on a portfolio approach of utility fossil-fueled units; 2) continue to calculate capacity payments on a value of deferral basis based on the utility's full avoided cost and need for power; 3) require investor-owned utilities to expand the capacity and energy payment options to facilitate the financing of renewable generation facilities; 4) provide for an expedited dispute resolution process; and 5) require annual reporting from all utilities as part of the Ten-Year Site Plan process. The proposed additions to the rules will provide the Commission flexibility to ensure that the costs of fuel diversity, fuel price stability, and energy security are properly included in the full avoided costs paid to renewable generating facilities.

APPROVED

The proposed rules were approved with the clarifications and modifications discussed during the conference.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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The only amendment to Part III is to delete the definition of a renewable facility and municipal solid waste facility from Rule 25-17.0832, F.A.C. These definitions are now included in Part IV of the rules. The remainder of Part III should remain, as those rules address the requirements of metering, interconnection, back-up power, wheeling, and value of deferral calculations. Generation facilities fueled by renewable resources would be governed pursuant to the new Part IV with appropriate references to Part III. Qualifying facilities with a design capacity of 100kW or less are eligible for a standard offer contract under either Part III or Part IV. Staff's recommended rule changes are shown in Attachment A of staff's December 27, 2006 memorandum.

Issue 2: Should the rules as approved by the Commission be filed for adoption with the Secretary of State and the docket closed?

Recommendation: Yes. If the Commission approves staff's recommendations contained in Issue 1, following publication of a notice of change, the rule may be filed for adoption with the Secretary of State and the docket should be closed.

APPROVED