

VOTE SHEET

February 13, 2007

Docket No. 050805-EQ – Petition for approval of new standard offer for purchase of firm capacity and energy from renewable energy facilities and approval of tariff schedule REF-1, by Gulf Power Company.

Docket No. 050806-EQ – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

Docket No. 050807-EQ – Petition for approval of amended standard offer contract tariff and renewable energy tariff, by Progress Energy Florida, Inc.

Docket No. 050810-EQ – Petition for approval of standard offer contract for small qualifying facilities and producers of renewable energy, by Tampa Electric Company.

Issue 1: Should the Commission require Gulf Power Company (Gulf), Florida Power & Light Company (FPL), Progress Energy Florida, Inc. (PEF), and Tampa Electric Company (TECO) to file tariffs containing new standard offer contracts?

Recommendation: Yes. Gulf, FPL, PEF, and TECO should be required to file tariffs by April 1, 2007, that contain new standard offer contracts with terms that are consistent with the Commission’s policy as expressed by the adoption of renewable energy rules in Docket No. 060555-EI. The standard offer contracts should be based on each type of generating unit available in each investor-owned utility’s 2007 Ten Year Site Plan.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina J. McMurrian
Jim Ed
Scott A. J.

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should the tariffs filed by Gulf, FPL, PEF, and TECO containing proposed standard offer contracts and approved by Order No. PSC-06-0486-TRF-EQ be closed?

Recommendation: Yes. The tariffs containing the standard offer contracts approved by Order No. PSC-06-0486-TRF-EQ are not consistent with the Commission's current policy as expressed by the adoption of new rules in Docket No. 060555-EI. Therefore, the tariffs containing the IOUs' proposed standard offer contracts that were approved by Order No. PSC-06-0486-TRF-EQ should be closed upon the filing of tariffs containing new standard offer contracts as described above.

APPROVED

Issue 3: Is the protest of Order No. PSC-06-0486-TRF-EQ moot?

Recommendation: Yes. If the Commission approves staff's recommendation in Issues 1 and 2, once Gulf, FPL, PEF, and TECO file tariffs containing new standard offer contracts with terms that are consistent with the Commission's stated policy as expressed by the adoption of renewable energy rules in Docket No. 060555-EI, and the tariffs containing the proposed standard offer contracts approved by Order No. PSC-06-0486-TRF-EQ are closed, FICA's protest of Order No. PSC-06-0486-TRF-EQ will be rendered moot. When the Commission issues a decision on the tariffs containing new standard offer contracts with terms that are consistent with the Commission's current stated policy, all persons whose substantial interests are affected will have a point of entry to challenge the Commission's decision.

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Issue 4: Should Docket Nos. 050805-EQ, 050806-EQ, 050807-EQ, and 050810-EQ be closed?

Recommendation: Yes. If the Commission approves staff's recommendation as set forth in Issues 1, 2, and 3, and if no protest is filed by a person whose substantial interests are affected within 21 days of the issuance of the order, Docket Nos. 050805-EQ, 050806-EQ, 050807-EQ, and 050810-EQ should be closed upon the issuance of a consummating order. The Commission should open new dockets to consider the tariffs filed by Gulf, FPL, PEF, and TECO containing new standard offer contracts required by Issue 1.

APPROVED