

VOTE SHEET

December 1, 2009

Docket No. 090372-EQ – Petition for approval of negotiated purchase power contract with FB Energy, LLC by Progress Energy Florida.

Issue 1: Should the Commission approve the proposed negotiated purchase power contract between Progress Energy Florida, Inc. (PEF) and Florida Biomass Energy, LLC. (FB Energy)?

Recommendation: Yes. Payments for capacity and energy are expected to produce savings between \$34.2 and \$80.2 million over the term of the contract. Upon a showing by PEF that expenses for the purchased power contract under the negotiated renewable energy contract were reasonable and prudently incurred, PEF should be permitted to recover those costs through the fuel clause.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

David E. Klement
Neil A. ...
Matt ...
Jim ...
M. ...

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
11659 DEC-1 8
FPSC-COMMISSION CLERK

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Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected files a protest within 21 days of the issuance of the Commission's order approving the petition and contract, this docket should be closed upon the issuance of a consummating order.

APPROVED