

VOTE SHEET

April 6, 2010

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 grant Florida Biomass Energy, LLC's Motion to Dismiss?

**Recommendation:** Yes. The Commission should grant Florida Biomass Energy, LLC's Motion to Dismiss because Funding Group, LLC lacks standing to pursue its protest and request for a hearing.

**APPROVED**

**Issue 2:** Should this docket be closed?

**Recommendation:** If the Commission approves staff's recommendation in Issue 1, Order No. PSC-09-0852-PAA-EQ should be considered final and this docket should be closed.

**APPROVED**

COMMISSIONERS ASSIGNED: Edgar, Skop, Stevens

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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**REMARKS/DISSENTING COMMENTS:** Chairman Argenziano participated in the conference by telephone. She will sign the vote sheet upon her return to the office.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK