

VOTE SHEET

June 29, 2010

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

**Issue 1:** Should US Funding Group, LLC’s Motion for Reconsideration be granted?

**Recommendation:** Yes. Funding Group should be given leave to file an amended protest of Order No. PSC-09-0852-PAA-EQ within fifteen days of the date the order on reconsideration issues. If filed, the amended protest should comport with the requirements of Rule 28-106.201, F.A.C., and should conclusively show why Funding Group has standing.

**APPROVED**, *Commissioner Skop dissented.*

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

**Recommendation:** No. This docket should remain open to permit US Funding Group, LLC to file an amended protest of Order No. PSC-09-0852-PAA-EQ. If US Funding Group, LLC does not timely file an amended protest, the docket should be closed.

**APPROVED**, *Commissioner Skop dissented.*

COMMISSIONERS ASSIGNED: Argenziano, Edgar, Skop

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of A. Argenziano and Edgar Skop]*

*[Handwritten signature of Commissioner Skop]*

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

15342 JUN 29 2010