

VOTE SHEET

December 14, 2010

Docket No. 100347-EQ – Petition for approval of the third negotiated purchase power contract with Hathaway Renewable Energy, Inc. by Progress Energy Florida, Inc.

Issue 1: Should the Commission approve the petition submitted by PEF requesting approval for cost recovery of the third negotiated contract with a qualifying facility, Hathaway Renewable Energy, LLC?

Recommendation: No. Based on the most recent available information, the contracted payments are expected to be approximately \$13.3 million above PEF's current avoided costs, and therefore not eligible for cost recovery, pursuant to Sections 366.051 and 366.90, F.S., and Rule 25-17.0832(2), F.A.C.

DEFERRED

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Five horizontal lines for majority signatures.

Five horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS: Deferred to a later Commission Conference

DOCUMENT NUMBER-DATE

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