

VOTE SHEET

July 30, 2013

**Docket No. 130092-EI** – Petition of Gulf Power Company to include the Plant Daniel Bromine and ACI Project, the Plant Crist Transmission Upgrades Project, and the Plant Smith Transmission Upgrades Project in the Company's program, and approve the costs associated with these compliance strategies for recovery through the ECRC.

**Issue 1:** Should the Commission approve Gulf's Petition to include the proposed Plant Crist Transmission Upgrades in its Environmental Compliance Program and recover the associated cost through the Environmental Cost Recovery Clause?

**Recommendation:** No. The proposed Plant Crist transmission upgrades are not needed for Gulf to comply, or remain in compliance, with the Mercury and Air Toxics Standards (MATS) rule. Therefore the Environmental Cost Recovery Clause (ECRC) is not the appropriate mechanism to recover such costs. Gulf may request recovery through more conventional means, such as a rate case. Staff notes that in its petition in Docket No. 130140-EI, filed on July 12, 2013, Gulf stated "if the Commission finds that these transmission costs should be included in base rates, Gulf is requesting a step increase of \$16,392,000 effective July 1, 2015."

DEFERRED to the September 24, 2013 Commission Conference.

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COMMISSION  
CLERK

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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**REMARKS/DISSENTING COMMENTS:**

*see document no. 04305-13 -cc*

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July 30, 2013

Docket No. 130092-EI – Petition of Gulf Power Company to include the Plant Daniel Bromine and ACI Project, the Plant Crist Transmission Upgrades Project, and the Plant Smith Transmission Upgrades Project in the Company's program, and approve the costs associated with these compliance strategies for recovery through the ECRC.

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**Issue 2:** Should the Commission approve Gulf's Petition for including the proposed Plant Smith Transmission Upgrades in its Environmental Compliance Program and recovering the associated cost through the Environmental Cost Recovery Clause?

**Recommendation:** No. The proposed Plant Smith transmission upgrades are not needed for Gulf to comply, or remain in compliance, with the MATS rule. Therefore, the ECRC is not the appropriate mechanism to recover such costs. Gulf may request recovery through more conventional means, such as a rate case. Staff notes that in its Petition in Docket No. 130140-EI, filed on July 12, 2013, Gulf stated "if the Commission finds that these transmission costs should be included in base rates, Gulf is requesting a step increase of \$16,392,000 effective July 1, 2015."

DEFERRED to the September 24, 2013 Commission Conference.

**Issue 3:** Should the Commission approve Gulf's Petition to include Plant Daniel Bromine and Activated Carbon Injection Project in its Environmental Compliance Program and recover the associated cost through the Environmental Cost Recovery Clause?

**Recommendation:** Yes. Based on Gulf's filing and responses to data requests, staff recommends that the proposed Bromine and ACI project will be needed for Gulf to comply with environmental regulations. Staff recommends that the prudently incurred costs associated with the Bromine and ACI project are eligible for cost recovery through the ECRC.

DEFERRED to the September 24, 2013 Commission Conference.

**Issue 4:** Should this docket be closed?

**Recommendation:** If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

DEFERRED to the September 24, 2013 Commission Conference.