

MINUTES OF JULY 9, 2003
SPECIAL COMMISSION CONFERENCE

COMMENCED: 9:35 a.m.
ADJOURNED: 2:40 p.m.

COMMISSIONERS PARTICIPATING: Chairman Jaber
Commissioner Deason
Commissioner Baez
Commissioner Bradley
Commissioner Davidson

Parties were allowed to address the Commission on items designated by double asterisks (**).

1 Docket No. 000824-EI - Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light. (Deferred from May 20, 2003 conference; revised recommendation filed.)

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehearing Officer: Baez

Staff: ECR: Slemkewicz, Devlin
GCL: Brubaker

ISSUE A: Should oral argument be permitted?

RECOMMENDATION: Yes. Each side should be permitted twenty minutes to present oral argument with respect to the Motion to Enforce Settlement Agreement and Progress Energy's Response in Opposition thereto.

DECISION: The recommendation was approved with the modification that oral argument was granted without imposition of a time limit.

ISSUE 1: Should Progress Energy Florida, Inc.'s Request for Oral Argument and, in the Alternative, for an Evidentiary Hearing, be granted?

RECOMMENDATION: Progress Energy Florida Inc.'s request for oral argument should be granted. Progress Energy Florida, Inc.'s request for an evidentiary hearing should be denied.

DECISION: The recommendation was approved.

Minutes of
Special Commission Conference
July 9, 2003

ITEM NO.

CASE

ISSUE 2: What considerations should the Commission take into account in deciding whether to approve the Motion for Enforcement of Settlement Agreement?

RECOMMENDATION: The Commission should take into account the matters listed in the analysis portion of staff's June 27, 2003 memorandum in the evaluation of the positions of the Movants and PEFI. Also, the Commission should consider a compromise position that is based on Commission ratemaking practices.

DECISION: The recommendation was approved. The Commission accepted Option 1 of staff's recommendation. The additional refund amount is to be made in accordance with Paragraph 8 of the settlement agreement. Credits are to commence by no later than the first billing cycle of October 2003. Unclaimed refunds are to be credited to fuel costs.

ISSUE 3: Should the docket be closed?

RECOMMENDATION: Yes. Upon final disposition of this matter by the Commission, this docket should be closed.

DECISION: The recommendation was approved.

Commissioners participating: Jaber, Deason, Baez, Bradley, Davidson