

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 22, 1998

RE: DOCKET NO. 980283-EQ - Petition by Florida Power Corporation for declaratory statement that Commission's approval of Negotiated Contract for Purchase of Firm Capacity and Energy between FPC and Metropolitan Dade County in Order No. 24734, together with Orders Nos. PSC-97-1437-FOF-EQ and 24989, PURPA, Florida Statute 366.051, and Rule 25-17.082, F.A.C., establish that energy payments thereunder, including when firm or as-available payment is due, are limited to analysis of avoided costs based upon avoided unit's contractually-specified characteristics. (Deferred from the June 30, 1998 Commission Conference.)

Issue 1: Should the Commission grant Dade's request for Oral Argument?
Recommendation: Yes. Oral argument should be granted.

DEFERRED

Issue 2: Should the Commission grant FPC's Declaratory Petition?
Recommendation: Yes. The Commission should grant FPC's Petition for Declaratory Statement.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Staff to advise

DOCUMENT NUMBER-DATE

10448 SEP 22 88

VOTE SHEET

SEPTEMBER 22, 1998

DOCKET NO. 980283-EQ - Petition by Florida Power Corporation for declaratory statement that Commission's approval of Negotiated Contract for Purchase of Firm Capacity and Energy between FPC and Metropolitan Dade County in Order No. 24734, together with Orders Nos. PSC-97-1437-FOF-EQ and 24989, PURPA, Florida Statute 366.051, and Rule 25-17.082, F.A.C., establish that energy payments thereunder, including when firm or as-available payment is due, are limited to analysis of avoided costs based upon avoided unit's contractually-specified characteristics.

(Continued from previous page)

Issue 3: Should the Commission grant Dade's Motion to Dismiss?

Recommendation: No. The Motion to Dismiss should be denied.

Issue 4: Should this docket be closed?

Recommendation: Yes.