

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 7, 1999

RE: DOCKET NO. 990943-EM - Request by City of Vero Beach to delete its Curtailable Commercial Service rate and its QF Transmission tariff and add a "Disclaimer of Liability" clause to its General Rules and Regulations.

Issue 1: Should the Commission approve the "Disclaimer of Liability" clause proposed by the City of Vero Beach (the City)?

Recommendation: No. The Commission should decline to take action on the proposed tariff on the basis that the subject matter does not require Commission approval. The tariff should remain on file with the Commission as part of the official tariff of the utility.

APPROVED

with modification that the order will indicate Vero Beach is filing in response to statute and it is not within our jurisdiction to approve or not approve on the basis of whether we agree with the language.

RAR 10/12/99 note: Modification language added after review of audiotape.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10754 SEP-8 99

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Issue 2: Should the Commission review the existing filing requirements and procedures for handling municipal and rural cooperative tariff rates to determine if the rules need clarification?

Recommendation: Yes.

APPROVED

Issue 3: Should the Commission approve the changes proposed by the City to eliminate its Curtailable Service Rate and its Qualifying Facilities Transmission Rate Schedule?

Recommendation: Yes. No customers are being served under either rate and no customer will be affected by its closure.

APPROVED

Issue 4: Should this docket be closed?

Recommendation: Yes, if no protest is filed within 21 days of issuance of the order.

APPROVED