

VOTE SHEET

August 28, 2007

Docket No. 070232-EQ – Petition for approval of new standard offer for purchase of firm capacity and energy from renewable energy facilities or small qualifying facilities and approval of tariff schedule REF-1, by Gulf Power Company.

Docket No. 070234-EQ – Petition for approval of renewable energy tariff standard offer contract, by Florida Power & Light Company.

Docket No. 070235-EQ – Petition for approval of standard offer contract for purchase of firm capacity and energy from renewable energy producer or qualifying facility less than 100 kW tariff, by Progress Energy Florida, Inc.

Docket No. 070236-EQ – Petition for approval of standard offer contract for small qualifying facilities and producers of renewable energy, by Tampa Electric Company.

(Oral Argument Not Requested)

Issue 1: Should the Commission grant the IOUs' Motion for More Definite Statement, or in the Alternative, Motion to Dismiss FICA's Petition for Formal Hearing and for Leave to Intervene?

Recommendation: The Commission should grant the IOUs' Alternative Motion to Dismiss. FICA's Petition is not in substantial compliance with Rule 28-106.201, Florida Administrative Code, and should therefore be dismissed without prejudice. If FICA files an Amended Petition, it should be filed within ten days of the Commission's Order. If the Commission grants the Alternative Motion to Dismiss, the IOUs' Motion for More Definite Statement will be rendered moot.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Neil A. Dug

Katrina J. McMurrain

[Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should these dockets be closed?

Recommendation: No. If the Commission approves staff's recommendation in Issue 1, Docket Nos. 070232-EQ, 070234-EQ, 070235-EQ, and 070236-EQ should remain open to allow FICA to file its Amended Petition.

APPROVED