

VOTE SHEET

September 29, 2008

**Docket No. 080501-EI** – Petition for waiver of Rule 25-17.250(1) and (2)(a), F.A.C., which requires Progress Energy Florida to have a standard offer contract open until a request for proposal is issued for same avoided unit in standard offer contract, and for approval of standard offer contract.

**Issue 1:** Should the Commission grant PEF's petition for a waiver of Rules 25-17.250(1) and (2)(a), F.A.C.? **Recommendation:** Yes. PEF's petition for a waiver of Rules 25-17.250(1) and (2)(a), F.A.C., should be granted.

**APPROVED**

**Issue 2:** If the waiver of rules is granted, are the standard offer contract and its associated tariffs filed by Progress Energy Florida, Inc. (PEF) on July 15, 2008, in compliance with Rules 25-17.200 through 25-17.310, F.A.C.?

**Recommendation:** Yes. Assuming the waiver of rules is granted, the standard offer contract and its associated tariffs proposed by PEF are in compliance with Rules 25-17.200 through 25-17.310, F.A.C., and therefore should be approved and made effective as of the date of the Commission's vote.

**APPROVED**

**COMMISSIONERS ASSIGNED:** All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the majority column]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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**Issue 3:** Should this docket be closed?

**Recommendation:** If the Commission approves staff's recommendation to approve the proposed Standard Offer Contract and tariffs filed by PEF, the tariffs should be made effective September 29, 2008. If no person whose substantial interests are affected requests a hearing to address this matter, then Docket No. 080501-EI should be closed. If a protest is filed within 21 days of the issuance of the Commission's order, the tariffs should remain in effect pending resolution of the protest. Potential signatories to the standard offer contract should be aware that PEF's tariffs and standard offer contracts may be subject to a request for hearing, and if a hearing is held, may subsequently be revised.

**APPROVED**