

VOTE SHEET

DATE: September 20, 1994

RE: DOCKET NO. 940019-EQ - Joint petition for approval of standard offer contracts of FLORIDA POWER CORPORATION and AUBURNDALE POWER PARTNERS, LIMITED PARTNERSHIP.

Issue 1: Recommendation that LFC Corporation's (LFC) assignment of its Standard Offer Contracts with Florida Power Corporation to Auburndale Power Partners is contemplated by the terms of those contracts. Section 9.6 of the original Standard Offer Contracts permits assignment with FPC's prior written approval.

APPROVED

Issue 2: Recommendation that the change in location from the existing LFC facilities in Madison and Jefferson Counties to the Auburndale facility in Polk County is not contemplated pursuant to the original Standard Offer Contracts.

APPROVED

Commissioners Deason and Clark dissented.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in Majority column: Joe Torres, J. Terry Deason, Susan F. Clark, Frank K. ...]

[Handwritten signatures in Dissenting column: J. Terry Deason, Susan F. Clark]

REMARKS/DISSENTING COMMENTS:

** Issues 2 and 3*

PSC/RAR33 (5/90)

DOCUMENT NUMBER-DATE

09680 SEP 21 94

FPSC-RECORDS/REPORTING

Issue 3: Recommendation that the agreed-upon "Off-Peak Curtailment Periods" are not a coordination of scheduled outages as contemplated by Sections 5(a) and 5(c) of the original Standard Offers.

APPROVED

Commissioners Deason and Clark dissented.

Issue 4: Recommendation that the joint petition for approval of contract modifications be denied. The Consent and Agreement has materially altered the original Standard Offer Contracts and created a new negotiated cogeneration contract. That new contract should be evaluated for current benefits to FPC's ratepayers.

DENIED

The joint petition was approved.

Issue 5: Recommendation that, if the assignment and change in location are approved as being contemplated pursuant to the original LFC Standard Offer Contracts or as part of a new negotiated contract, then Rule 25-17.0832(3)(a), F.A.C. would not apply.

This issue is moot.

Issue 6: Recommendation that, if no substantially affected person timely files a protest to the Commission's proposed agency action, this docket should be closed at the expiration of the protest period.

APPROVED