FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 6, 1998

RE: DOCKET NO. 971004-EG - Adoption of Numeric Conservation Goals by Florida Power & Light Company.

DOCKET NO. 971005-EG - Adoption of Numeric Conservation Goals by Florida Power Corporation.

DOCKET NO. 971006-EG - Adoption of Numeric Conservation Goals by Gulf Power Company.

DOCKET NO. 971007-EG - Adoption of Numeric Conservation Goals by Tampa Electric Company.

<u>Issue 1</u>: Should the Commission grant Florida Power & Light's Motion To Strike LEAF's Reply To Utility Responses To LEAF's Motion For Procedural Order?

Recommendation: Yes. Uniform Rule of Procedure 28-106.204, Florida Administrative Code, like its predecessor Commission Rule 25-22.037, Florida Administrative Code, does not provide for the filing of replies to responses to filed motions. Therefore, the Commission should grant FPL's Motion To Strike LEAF's Reply. If the Commission grants FPL's Motion To Strike, LEAF's Response In Opposition To FPL's Motion To Strike LEAF's Reply is rendered moot.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

<u>C</u>	COMMISSIONERS'	<u>SIGNATURES</u>	
MAJORITE			DISSENTING
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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· VOTE SHEET

OCTOBER 6, 1998

DOCKET NO. 871004-EG - Application of MALI SERVICE STATION for certificate to provide pay telephone service.

DOCKET NO. 971005-EG - Adoption of Numeric Conservation Goals by Florida Power Corporation.

DOCKET NO. 971006-EG - Adoption of Numeric Conservation Goals by Gulf Power

DOCKET NO. 971007-EG - Adoption of Numeric Conservation Goals by Tampa Electric Company.

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<u>Issue 2</u>: Should the Commission grant Legal Environmental Assistance Foundation's Motion For Procedural Order? Recommendation: No. The Motion For Procedural Order is an untimely motion for reconsideration, the Motion does not comport with Rule 25-17.0021, Florida Administrative Code, and the Motion misapprehends the substantive MODIFIED approved with noted modification. law of the case.

Issue 3: Should these dockets be closed?

These dockets are scheduled for hearings in May of Recommendation: No. 1999.

APPROVED