

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

June 30, 2009

Docket No. 090165-EQ – Petition for approval of standard offer contract for small qualifying facilities and producers of renewable energy, by Tampa Electric Company.

Issue 1: Are the standard offer contracts filed by TECO in compliance with Rules 25-17.200 through 25-17.310, F.A.C.?

Recommendation: Yes, with the exception of Section 18 of TECO’s Standard Offer Contract. TECO should file within 30 days revised standard offer contracts, which contain no right of first refusal for renewable energy credits. If the revised tariffs comply with the Commission’s decision, staff should be granted the administrative authority to approve the revised tariffs.

APPROVED; *Commissioner Skop dissented.*

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina J. McMurrin
Scott E. J. D.
Liz E. G.
Nancy Argenziano *Greg P. Hillis*

noa skop

REMARKS/DISSENTING COMMENTS: Commissioner Argenziano participated in the conference by telephone. The vote sheet will be signed at a later date.

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

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Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation, TECO should file revised standard offer contracts within 30 days of the Commission's vote, in accordance with the Commission's decision. This docket should be administratively closed by staff after review and approval of the revised contracts, if no person whose substantial interests are affected has filed a protest within 21 days of the Commission order. If the standard offer contract is administratively approved and 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 TECO'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; *Commissioner Skop dissented.*