

FLORIDA PUBLIC SERVICE COMMISSION

15

VOTE SHEET

MAY 31, 2005

RE: Docket No. 050060-EI - Request to exclude December 26, 2004 outage event from annual distribution service reliability report by Progress Energy Florida, Inc.

Issue 1: Should the Commission approve PEFI's petition to exclude from its 2004 Annual Distribution Service Reliability Report 346 outage events that occurred due to a wind event on December 26, 2004?

Recommendation: No. PEFI has not demonstrated that the outages on December 26, 2004, were not within its control and that it could not have reasonably prevented the outages because (1) sustained wind speeds in PEFI's service area did not exceed industry construction standards and (2) PEFI maintains control over its tree-to-power line clearance practices and can adjust those practices if it believes wind-related outages are excessive. If, however, the Commission approves the petition, for ongoing comparative purposes PEFI should show the effects of including and excluding the wind-caused outages in a revised 2004 Annual Distribution Service Reliability Report.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05257 MAY 31 '05

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Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action.