

BEFORE THE PUBLIC SERVICE COMMISSION

In Re: Planning Hearings on Load)
 Forecasts, Generation Expansion)
 Plans, and Cogeneration Prices)
 for Peninsular Florida's Electric)
 Utilities.)
 _____)

DOCKET NO. 900004-EU
 ORDER NO. 23413
 ISSUED: 8-28-90

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH

ORDER SUSPENDING PORTION OF TARIFFS

BY THE COMMISSION:

On June 6, 1990, Florida Power Corporation (FPC) filed its proposed Standard Offer Contract Rate for Purchase of As-Available Energy from Qualifying Cogeneration & Small Power Production Facilities (COG-1) and Standard Offer Contract Rate for Purchase of Firm Capacity and Energy from Qualifying Cogeneration & Small Power Production Facilities (COG-2). These rate schedules were filed in accordance with our May 25, 1990 vote designating a 500 MW coal unit as the statewide avoided unit.

As part of FPC's request for approval of the COG-1 and COG-2 rate schedules, FPC included tariff language requiring that transmission capacity costs be paid by Qualifying Facilities (QFs) selling power under rate schedules COG-1 and COG-2. Specifically, the costs outlined in the proposed COG-1 and COG-2 rate schedules include all costs associated with any impairment or reduction of, or other adverse effect on, the electric power transfer capability between FPC's northern territory and FPC's load centers in central/southern Florida, resulting from and or attributable to the interconnection of the Qualifying Facility with FPC's electrical system (See Attached Tariff Sheets). This language regarding transmission capacity costs had never been the subject of Commission vote in this docket.

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On June 13, 1990, Staff administratively approved all aspects of FPC's COG-1 and COG-2 rate schedules that were consistent with our May 25, 1990 vote. Staff however refused to approve COG-1, Seventh Revised Sheet No. 9.104 and COG-2, Sixth Revised Sheet No. 9.206 because the proposed tariff language regarding transmission capacity costs did not comport with our May 25, 1990 vote.

We agree with our staff that the proposed tariff language regarding transmission capacity costs does not comport with our May 25, 1990 vote. In view of FPC's limited transmission capability in North Florida however, the proposed language may be equitable and necessary.

We would like to further study FPC's proposed language regarding transmission capacity costs (COG-1, Seventh Revised Sheet No. 9.104 and COG-2, Sixth Revised Sheet No. 9.206) and we therefore suspend those portions of the tariffs. We instruct our staff to file an additional recommendation addressing the appropriateness of such language in FPC's standard offer contract, and further instruct that this matter again be brought before us at a future date.

With the exception of Revised Sheets 9.104 and 9.206 we approve the tariffs filed by FPC on June 6, 1990. The effective date of the tariffs is June 13, 1990, the date upon which the tariffs were administratively approved by staff.

In consideration of the foregoing, it is


ORDERED by the Florida Public Service Commission that Florida Power Corporation's rate schedules COG-1, Seventh Revised Sheet No. 9.104 and COG-2, Sixth Revised Sheet No. 9.206 are hereby suspended. It is further

ORDERED that with the exception of the aforesaid Sheets No. 9.104 and No. 9.206 we hereby approve Rate Schedules COG-1, and COG-2 as filed by Florida Power Corporation on June 6, 1990. It is further

ORDERED that Florida Power Corporation Rate Schedules COG-1 and COG-2 as heretofore approved shall have an effective date of June 13, 1990.

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By ORDER of the Florida Public Service Commission this
28th day of August, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.