

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Joint Petition to deter-) DOCKET NO. 920520-EQ
mine need for electric power) ORDER NO. PSC-92-1493A-FOF-EQ
plant to be located in Okeechobee) ISSUED: 02/01/93
County by Florida Power and Light)
Company and Cypress Energy)
Partners, Limited Partnership.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
BETTY EASLEY

AMENDATORY ORDER DENYING RECONSIDERATION

BY THE COMMISSION:

In Order No. PSC-92-1493-FOF-EQ (Order Denying Reconsideration), issued December 28, 1992 in this docket, we inadvertently failed to address Florida Power and Light Company's (FPL's) Motion for Official Recognition which was filed December 1, 1992. We therefore issue this amendatory order solely to address FPL's motion. Order No. PSC-92-1493-FOF-EQ shall remain unchanged in all other respects.

In its December 1, 1992 motion, Florida Power and Light Company requested that we take official recognition of exhibits from the record of Docket No. 910883-EI, the Tampa Electric Company (TECO) need determination proceeding for its 220 MW Polk County Unit.

FPL argues that the Commission compared fuel forecasts in the TECO proceeding to the fuel forecasts introduced in this docket. FPL seeks admission of the specified TECO need exhibits into evidence to show that the respective forecasts were calculated by different methods. FPL argues that the difference in methods renders the comparison inappropriate.

In Order No. PSC-92-1493-FOF-EQ, we cited the TECO need order to illustrate our longstanding concern "with fuel price forecasts that project increasingly divergent prices between coal and natural gas or oil". We also expressed our view that a wide divergence between coal and natural gas or oil (as predicted by FPL) was not supported by historical data. Our fuel forecast analysis in TECO's need docket did not constitute a test against which the FPL fuel forecasts were measured, and our decision to deny the petition for determination of need in this docket was not based on a "comparison" of TECO's forecasts to FPL's. Consequently, the

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exhibits which FPL seeks to have officially recognized are irrelevant to this proceeding. Further, FPL's Motion for Official Recognition was filed after the final order was issued in this docket. We decline to allow further introduction of evidence at this time.

It is therefore

ORDERED by the Florida Public Service Commission that the Motion for Official Recognition filed in this docket by Florida Power and Light Company on December 1, 1992 is hereby denied, and Order No. PSC-92-1493-FOF-EQ is hereby amended to reflect said denial. It is further

ORDERED that Order No. PSC-92-1493-FOF-EQ, issued in this docket on December 28, 1992, shall remain unchanged in all other respects.

By ORDER of the Florida Public Service Commission this 1st day of February, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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NOTICE OF 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 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 wastewater 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.