

MEMORANDUM

April 26, 2000

TO: CHAIRMAN GARCIA

FROM: DIVISION OF LEGAL SERVICES (CLEMONS/STERN) *MKS PMC CB*

RE: DOCKET NO. 000288-EU - PETITION FOR DETERMINATION OF NEED FOR AN ELECTRICAL POWER PLANT IN LAKE COUNTY BY PANDA LEESBURG POWER PARTNERS, L.P.

DOCKET NO. 000289-EU - PETITION FOR DETERMINATION OF NEED FOR AN ELECTRICAL POWER PLANT IN ST. LUCIE COUNTY BY PANDA MIDWAY POWER PARTNERS, L.P.

SPECIAL AGENDA ON MAY 5, 2000

At the May 5, 2000, Special Agenda, staff intended to present recommendations on Motions for Intervention in Dockets 000288-EU and 000289-EU. Both dockets are applications for need determinations for merchant plants. On April 20, 2000, the Florida Supreme Court determined that merchant plants were not proper applicants for need determinations under the Siting Act. In light of this decision, staff will prepare a recommendation addressing these dockets and the other merchant plant dockets for a later Agenda. Staff would therefore like to withdraw the items on Dockets 000288-EU and 000289-EU from the Special Agenda.

MKS/DWC

cc: Commissioner Deason
Commissioner Clark
Commissioner Jacobs
Commissioner Jaber
Dr. Mary Bane, Deputy Executive Director/Technical
Division of Electric and Gas

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*OK JAB
for Chairman
4-28-00*

*Recommend Approval.
MAB
4/27/00*

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING