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November 20, 2000

HAND DELIVERED

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 DRIGIO RECEIVED-FPS

Re:

Petition for approval of a special contract with IMC Phosphates Company for provision of interruptible electric service by Tampa Electric Company FPSC Docket No. 001287-EI

Dear Ms. Bayo:

Enclosed for filing in the above docket is the original and fifteen (15) copies of Tampa Electric Company's Emergency Motion for Authorization to Implement a Special Contract for Interruptible Electric Service and Associated Proposed Regulatory Treatment on an Interim Basis.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,

James D. Beasley

APP
CAF JDB/pp
CMP Enclosures
COM

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RGQ SEC All Parties of Record (w/enc.)

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FPSC-RECORDS/REPORTING

# ORIGINAL

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company	)	
For Approval of a Special Contract With	)	DOCKET NO. 001287-EI
IMC Phosphates Company For The	)	
Provision of Interruptible Electric Service.	)	FILED: November 20, 2000
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### TAMPA ELECTRIC COMPANY'S EMERGENCY MOTION FOR AUTHORIZATION TO IMPLEMENT A SPECIAL CONTRACT FOR INTERRUPTIBLE ELECTRIC SERVICE AND ASSOCIATED PROPOSED REGULATORY TREATMENT ON AN INTERIM BASIS

Pursuant to Section 366.05 (1), Florida Statutes, and Rule 28-106.303, Florida Administrative Code, Tampa Electric Company ("Tampa Electric") respectfully requests that the Commission authorize immediate, interim implementation of a special contract (the "Agreement") for the provision of interruptible electric service to IMC Phosphates Company ("IMC"), a Delaware General Partnership doing business within Tampa Electric's service territory, as well as the associated proposed regulatory treatment of the Agreement, pending a Commission decision in this Docket on Tampa Electric's petition for approval of the Agreement. In support of this Petition, Tampa Electric states the following:

- 1. On August 31, 2000, Tampa Electric petitioned the Commission for approval of the Agreement and requested that the Agreement be made effective as of the filing date. In its petition, Tampa Electric noted that it has found it necessary to purchase power for IMC under the Optional Provision of the applicable interruptible rate schedules with greater frequency and at a significantly higher cost than in prior years.
- 2. IMC has stated that the increased frequency of interruptions and high cost of optional provision purchases has created additional economic justification for IMC to

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exercise available options for shedding all or a major part of its load from Tampa Electric's system. Although Tampa Electric is not privy to IMC's business plans and other proprietary business information, it is Tampa Electric's understanding that IMC has discussed alternatives to service from Tampa Electric and its critical and immediate need for rate relief with the Commission, on a confidential basis.

- 3. In the months since the filing of its petition in this Docket, Tampa Electric has purchased a significant amount of power on behalf of IMC under the Optional Provision of the applicable interruptible service rate schedules. The cost of optional provision power has been much higher than either Tampa Electric or IMC expected during the last two months. The resulting increase in IMC's electric service cost has only served to exacerbate what IMC has described as an already severe economic impact. Indeed, IMC has represented to Tampa Electric that the recent significant increase in electric power expense has had a critical impact on its business plans for the fourth quarter of this year.
- 4. On November 14, 2000 the procedural schedule for this docket was revised, resulting in a postponement of Commission consideration of Tampa Electric's petition from November 28<sup>th</sup> to December 19<sup>th</sup>. Tampa Electric appreciates the fact that the Commission and Staff are working efficiently to address a significant caseload. However, IMC has indicated that its need for interim relief is extremely urgent, especially in light of the continued high cost of optional provision power.
- 5. Given the circumstances described above, Tampa Electric hereby requests authorization from the Commission to implement the Agreement and associated regulatory treatment, as of IMC's November billing, pending a final Commission decision with regard

to Tampa Electric's August 31<sup>st</sup> Petition. The November billing means energy consumed in November including optional provision power purchased on IMC's behalf in November. Should the Commission ultimately decide not to approve the Agreement and proposed regulatory treatment, then Tampa Electric would adjust its billing to IMC and accounting records in a manner that would reverse the interim treatment proposed herein. In that event, IMC would be re-billed for the difference between the contract rate and service under the rate schedules under which it would otherwise been served. Given the urgent nature of Tampa Electric's request, the Company respectfully requests that this motion be considered on the earliest possible Commission agenda.

WHEREFORE, Tampa Electric respectfully requests that the Commission grant the relief requested in Paragraph 5, above.

DATED this 20th day of November, 2000.

Respectfully submitted,

HARRY W. LONG JR. Assistant General Counsel Tampa Electric Company P.O. Box 111 Tampa, Florida 33601

And

LKE L. WILLIS JAMES D. BEASLEY Ausley & McMullen Post Office Box 391 Tallahassee, FL 32303

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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Emergency Motion for Authorization to Implement a Special Contract for Interruptible Electric Service and Associated Proposed Regulatory Treatment on an Interim Basis, filed on behalf of Tampa Electric Company, has been served by hand delivery (\*) on this 20<sup>th</sup> day of November 2000 to the following:

Ms. Deborah D. Hart\*
Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTORNEY