

# AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

March 9, 2001

HAND DELIVERED

010308-E1

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

Re: Petition of Tampa Electric Company to Close Standard Offer Contract

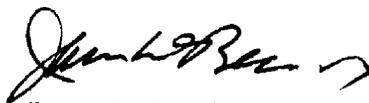
Dear Ms. Bayo:

Enclosed for filing in the above-styled matter are the original and fifteen (15) copies of Tampa Electric Company's Petition to Close Standard Offer Contract.

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

JDB/pp  
Enclosures

DOCUMENT NUMBER-DATE  
03087 MAR-90  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company )  
to Close Standard Offer Contract. )  
\_\_\_\_\_ )

DOCKET NO. \_\_\_\_\_

FILED: March 9, 2001

**TAMPA ELECTRIC COMPANY'S  
PETITION TO CLOSE STANDARD OFFER CONTRACT**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.051, Florida Statutes, Chapter 28-101, Florida Administrative Code, and Rule 25-17.0832, Florida Administrative Code, petitions the Commission to close the company's current Standard Offer Contract for the Purchase of Firm Capacity and Energy from a Small Qualifying Facility or Municipal Solid Waste Facility ("Standard Offer Contract") and, as grounds therefor, says:

1. The name, address, telephone number and facsimile number of the petitioner are:

Tampa Electric Company  
Post Office Box 111  
Tampa, FL 33601  
(813) 228-4111  
(813) 118-1770 (fax)

2. Tampa Electric is a public utility subject to the jurisdiction of the Commission under Chapter 366, Florida Statutes.

3. The name, address, telephone number and facsimile number of the attorney and qualified representative of the Petitioner are:

Lee L. Willis  
James D. Beasley  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 32302  
(850) 224-9115  
(850) 222-7952 (fax)

Angela Llewellyn, Administrator  
Regulatory Coordination  
Tampa Electric Company  
Post Office Box 111  
Tampa, FL 33601  
(813) 228-1752  
(813) 228-1770 (fax)

4. Tampa Electric is a Commission regulated electric utility company providing retail electric service to customers in Hillsborough and portions of Polk, Pinellas and Pasco Counties in Florida.

5. On September 5, 2000 the Commission voted to approve a new Tampa Electric Company Standard Offer Contract based on a combustion turbine based on a 5 MW portion of a 180 MW combustion turbine ("CT") scheduled to be in place in service on May 1, 2003. The Commission's vote was later reflected in Order No. PSC-00-1773-PAA-EQ issued September 27, 2000 in Docket No. 000684-EQ. Attached hereto as Composite Exhibit "A" are Tampa Electric's Tariff Sheet Nos. 8.285, 8.290, 8.295 and 8.300 which define the open season and evaluation periods associated with the current Standard Offer Contract.

6. Tampa Electric's current Standard Offer Contract was initially opened for a three week subscription period that expired on November 27, 2000. The subscription limit was not exceeded. Under Third Revised Sheet No. 8.295 of Tampa Electric's tariff, the Standard Offer Contract was reopened for subscription for an additional three week open season. That second three week open season period expired on February 16, 2001 with no subscriptions having been received. Tampa Electric's tariff provides that once the company's Standard Offer Contract is fully and acceptably subscribed or has expired, the company will petition the Commission to close its Standard Offer Contract.

7. In view of the fact that both open season periods under the current Standard Offer Contract have been completed with no Standard Offer Contracts having been received, Tampa Electric's current Standard Offer Contract has expired and should be closed in accordance with the company's Tariff Sheet No. 8.295.

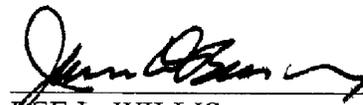
8. The company estimates that it will be filing a petition with respect to its new standard offer needs within two weeks of the date of this petition.

9. Tampa Electric is not aware of any disputed issues of material fact relating to relief requested herein.

WHEREFORE, Tampa Electric Company submits the foregoing in support of its Petition to close the company's present Standard Offer Contract for Purchase of Firm Capacity and Energy from a Small Qualifying Facility or Municipal Solid Waste Facility.

DATED this 9<sup>th</sup> day of March 2001.

Respectfully submitted,



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LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**COMPOSITE EXHIBIT "A"**

Continued from Sheet No. 8.280

3. In accordance with FPSC Rule 25-17.089, F.A.C., upon request by a QF, the Company shall provide transmission service in accordance with its Open Access Transmission Tariff to wheel As-Available Energy or Firm Capacity and Energy produced by a QF from the QF to another electric utility.

4. The rates, terms, and conditions for any transmission and ancillary services provide to a QF shall be those approved by the Federal Energy Regulatory Commission (FERC) and contained in the Company's Open Access Transmission Tariff.

5. A QF may apply for transmission and ancillary services from the Company in accordance with the Company's Open Access Transmission Tariff. Requests for service must be submitted on the Company's Open Access Same-Time Information System ("OASIS"). The Company's contact person, phone number and address is posted and updated on the OASIS and can be viewed by the public on the Internet at the address: [http://www.enx.com/FOA\\_Contacts.html](http://www.enx.com/FOA_Contacts.html). A copy of the Company's Open Access Transmission Tariff is also posted at the address: [http://www.enx.com/FOA/teco\\_home.html](http://www.enx.com/FOA/teco_home.html).

6. If the QF is located outside of the Company's transmission area, then the QF must arrange for long term firm 3<sup>rd</sup>-party transmission, ancillary services and an interconnection agreement on all necessary external transmission paths for the term of the contract.

**PROCEDURE FOR PROCESSING STANDARD OFFER CONTRACTS:** The Company's Standard Offer Contract will become available for subscription during a 3-week open-season period which will commence on the final effective date of the Standard Offer Contract, as approved by the FPSC.

The Company will only "receive" Standard Offer Contracts during a 3-week open-season period. All Standard Offer Contracts delivered to the Company during a 3 week open-season period will be considered to have been "received" on the final day of the period.

Continued to Sheet No. 8.290

Continued from Sheet No. 8.285

Within 30 days of the receipt of a signed Standard Offer Contract (30 days from the expiration of a 3-week open-season period), the Company shall either accept and sign the Standard Offer Contract and return it within 5 days to the QF or petition the Commission not to accept the Standard Offer Contract and provide justification for the refusal.

The Company's initial 3-week open-season period will be defined as the 15 successive business days beginning on the final effective date of the Company's Standard Offer Contract. On the 15<sup>th</sup> business day, the initial 3-week open-season period will expire at the close of business, 5 PM Eastern Prevailing Time (EPT). All Standard Offer Contracts received during the initial 3-week open-season period will be given equal consideration and each will be reviewed in accordance with the Company's Evaluation Procedure for Standard Offer Contracts. The criteria and procedure used to evaluate Standard Offer Contracts are attached to the Standard Offer Contract as Appendix C.

Each delivered Standard Offer Contract should be clearly labeled "Standard Offer Contract" and shall only be received at the Company's main business address:

Tampa Electric Company  
TECO Plaza 4  
c/o Manager - Industrial/Governmental Marketing & Sales  
702 North Franklin Street (33602)  
P. O. Box 111  
Tampa, Florida 33601

Certified mail will be the preferred means of Standard Offer Contract delivery. Any Standard Offer Contracts delivered following the expiration of the initial 3-week open-season will not be considered eligible and will be promptly returned.

Each eligible Standard Offer Contract received during the initial 3-week open-season period, will be evaluated as to its technical reliability, viability and financial stability, as well as other relevant information, in accordance with FPSC Rule 25-17.0832, F.A.C.

Each of the eligible Standard Offer Contracts will be prioritized following the evaluation process. The Company will select and accept Standard Offer Contracts, after the evaluation process, which have convincingly demonstrated that their project is financially and technically viable and that the committed capacity and energy would be available by the date specified in the Standard Offer Contract.

Continued to Sheet No. 8.295

Continued from Sheet No. 8.290

The Company will accept successive Standard Offer Contracts, beginning with the Standard Offer Contract with the highest priority, until further acceptance of a Standard Offer Contract would cause the subscription limit to be exceeded.

If the subscription limit is not exceeded after evaluating all eligible Standard Offer Contracts received during the initial 3-week open-season period, then the Standard Offer Contract will be reopened for subscription, for an additional 3-week open-season period, beginning 60 days from the expiration of the initial 3-week open-season period. The Company will notify the FPSC in the event that this additional 3-week open-season period is required.

Those QFs that previously submitted Standard Offer Contracts which were not accepted by the Company may resubmit their Standard Offer Contracts for evaluation during the additional 3-week open-season period. Other QFs may also submit Standard Offer Contracts for consideration during this time. The Company's Standard Offer contract will expire after the 2 rounds of open-season and evaluation periods described herein have been completed.

Once the Company's Standard Offer Contract is fully and acceptably subscribed or has expired, the Company will petition the Commission to close its Standard Offer Contract. Any executed Standard Offer Contracts received by the Company during the pendency of such a petition ("Interim SOCs") shall be held in abeyance pending final disposition of the petition. If the petition is finally approved (including any appellate review process), any Interim SOCs received during the pendency of the petition shall be rendered void and of no force and effect. If the petition is finally disapproved (including any appellate review process), any Interim SOCs received during the pendency of the petition shall be reactivated and processed in accordance with the Company's approved Procedure for Processing Standard Offer Contracts.

In its petition, the Company will provide the Commission with an estimate of the date that it will be filing a petition with respect to its new Standard Offer needs. The Company will then reassess its needs for capacity and petition the Commission regarding a Standard Offer Contract which reflects its updated needs for capacity. If the Company's petition for a new Standard Offer Contract is based on a different generation expansion plan than its previously approved Standard Offer Contract, then the Company will include the generation expansion plan in support of its petition.

Continued to Sheet No. 8.300

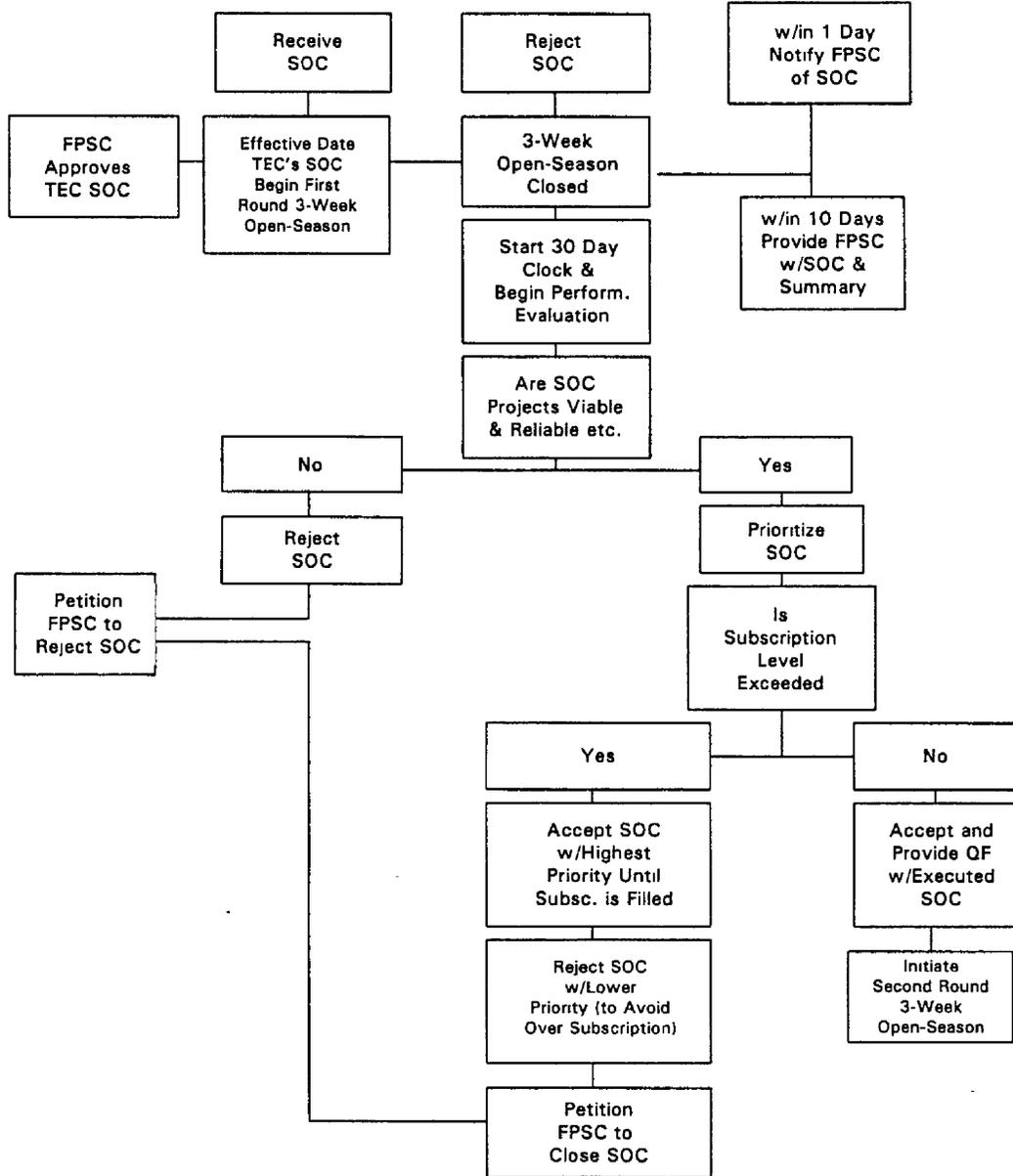
**ISSUED BY:** J. B. Ramil, President

**DATE EFFECTIVE:** October 24, 2000



Continued from Sheet No. 8.295

**PROCEDURE FOR PROCESSING STANDARD OFFER CONTRACTS**



Continued to Sheet No. 8.305