

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Planning Hearings on Load)	DOCKET NO. 910004-EU
Forecasts Generation Expansion)	ORDER NO. 25355
Plans, and Cogeneration Prices)	ISSUED: 11/18/91
for Florida's Electric Utilities.)	
_____)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 SUSAN F. CLARK
 J. TERRY DEASON
 BETTY EASLEY
 MICHAEL MCK. WILSON

ORDER SUSPENDING TARIFFS

BY THE COMMISSION:

On September 18, 1991, we voted to adopt new rules on cogeneration and small power production. In order to implement the rules, we also voted to require the investor-owned utilities to file by October 30, 1990, their generation expansion plans, standard interconnection agreements and tariffs for the purchase of capacity and energy from qualifying facilities. Because of the extensive nature of the changes received, we suspended these filings, including the as-available energy (COG-1) tariffs, pending review and hearings. Since the COG-1 tariffs were not as controversial as the standard offer contracts or the tariffs for the purchase of firm capacity and energy (COG-2), all parties to the docket agreed to withhold any discussion of COG-1s during the hearings and to handle them instead by separate proposed agency action (PAA) at a later date.

In preparation for the PAA, staff informally requested the utilities to submit updated tariffs for as-available energy. Each of the utilities has submitted updated tariffs as requested.

We have reviewed each of the tariffs submitted and are cognizant of the magnitude of the changes being suggested. We therefore find that the tariffs should be suspended to prevent them from automatically becoming effective after sixty days. Additional time is necessary to permit staff to evaluate the tariffs to determine if they are in compliance with our orders in this docket and the applicable rules.

DOCUMENT NUMBER-DATE

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It is therefore

ORDERED by the Florida Public Service Commission that the as-available energy (COG-1) tariffs filed by Florida Power Corporation (tariff sheets 9.100 to 9.330), Florida Power & Light Company (tariff sheets 10.100 to 10.105), Gulf Power Company (tariff sheets 9.2 to 9.7) and Tampa Electric Company (tariff sheets 8.020 to 8.661) are hereby suspended.

By ORDER of the Florida Public Service Commission, this 18th day of NOVEMBER, 1991.

 STEVE TRIBBLE, Director
 Division of Records and Reporting

(S E A L)

MAP:bmi
 910004e.bmi

by: Kay Steyer
 Chief, Bureau of Records

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

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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.