Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971313-EU

Company: IMC-Agrico Company

Date Docketed: 10/10/1997 Title: Petition by IMC-Agrico Company for declaratory statement confirming non-jurisdictional nature of planned

self-generation.

teferred to: ("()" indicates	OPP 1		ADM	AFA	(APP)	CAF	CMU	EAG	GCL	LEG	RAR	RRR	WAW		
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	f Counsel				40.	V							_ _		-

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

GR

Commissioners

JN DS CL

		ADM			
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Approved:	HIM
Date: 01/15/	1998



ALL

X

Staff

Hrg. Exam.

JC

Case Scheduling/Rescheduling Advice

		ECEIVED	non-jurisdictional na	ature of planned
Dock	t No. 971313-EU	RECEIVED	e: Petition by IMC-Ago	rico Company for
From	Office of Chairman Julia L. Johnson	The second secon		
	x Public Information Officer	x Consumer Affairs D	irector	x Staff Contact - R Bellak
	x Executive Director	Communications Dir	rector	x Court Reporter
	x Commissioner Jacobs	x Auditing & Financia	Analysis Director	Water & Wastewater Director
	x Commissioner Garcia	x Legal Director		x Research Director
	x Commissioner Clark	x Appeals Director		x Records & Reporting Director
To:	X Commissioner Deason	x Deputy Ex. Director	/Technical	x Electric & Gas Director

1. Schedule Information

FPSC - Records/Reporting

Event	Former Date	New Date	Location	Time
Prehearing Conference	03/06/1998	Cancel	Tallahassee, 148	13:30-16:00
Hearing	03/17/1998	Cancel	Tallahassee, 148	09:30-17:00
Hearing	03/18/1998	Cancel	Tallahassee, 148	09:30-17:00
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Remarks: Docket(s): 971313

Petition withdrawn - hearings cancelled.

2. Hearing/Prehearing Assignment Information:

Former Assignments

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New or Changed Assignments

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Prehearing Officer

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Remarks:

Document ID is 97131302.CCS

PSC/NAN 8 (01/98)

Case Scheduling/Rescheduling Advice 01/08/1998

To:	x Commissioner Deason	x Deputy Ex. Director/Technical	x Electric & Gas Director
	T Commissioner Clark	x Appeals Director	x Records & Reporting Directo
	x Commissioner Garcia	x Legal Director	x Research Director
	x Commissioner Jacobs	x Auditing & Financial Analysis Director	Water & Wastewater Director
	x Executive Director	Communications Director	x Court Reporter
	x Public Information Officer	x Consumer Affairs Director	x Staff Contact - R Bellak

From: Office of Chairman Julia L. Johnson

Docket No. 971313-EU

JAN 14 1998

RECEIVED: Petition by IMC-Agrico Company for declaratory statement confirming non-jurisdictional nature of planned self-generation.

FPSC - Records/Reporting

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		03/06/1998	Tallahassee,148	13:30-16:00
Hearing		03/17/1998	Tallahassee, 148	09:30-17:00
Hearing		03/18/1998	Tallahassee, 148	09:30-17:00
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		E-0		
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Remarks: Docket(s): 971313

120.57(1) hearing set by Commissioners at 12/16/97 agenda.

2. Hearing/Prehearing Assignment Information:

Former Assignments

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ALL	JN	DS	CL	GR	JC		
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New or Changed Assignments

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Prehearing Officer

Commissioners										
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Commissioners CL GR JC ADM

Remarks:

Document ID is 97131301.CCS

Case Assignment and Scheduling Record

(RAR) Completes Section 1 - Division of Records and Report

Docket No. 971313-EU

Date Docketed: 10/10/1997 Title: Petition by INC-Agrico Company for declaratory statement confirming non-jurisdictional nature of planned

self-generation.

Company: IMC-Agrico Company

Official Filing Last Day to Sus		Ex	piratio	on: _									
Referred to: ("()" indicates	OPR)	ADH	AFA	(APP)	CAF	CHU	EAG	GCL.	LEG	RAR	RRR	WAW	
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Initials: OPR	f Counsel		1150	39.		-						_	

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

9000	Comm	Hrg. Exam.	Staff				
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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Hember is assigned the full Commission decides the case.

- Prehearing Office	er
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Commissioners									
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Approved:	JL	-31	-	_
Date: -Pers	ding	12	2	97

Case Assignment and Scheduling Record

Section 1 - Division of Records and Rep.

(RAR) Completes

Docket No. 971313-EU

Company: IMC-Agrico Company

Date wocketed: 10/10/1997 Title: Petition by IMC-Agrico Company for declaratory statement confirming non-jurisdictional nature of planned

self-generation.

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- Hearing Officer(s)

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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Nember is assigned the full Commission decides the case.

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Date:	10/27/1997	

Case Assignment and Scheduling Record

Docket No. 971313-EU Date Docketed: 10/10/1997 Title: Petition by IMC-Agrico Company for a declaratory statement

Section 1 - Division of Records and Resound (RAR) Completes

PSC/RAR-15 (Rev. 7/97)

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State of Florida



Public Service Commission RECEIVED

JAN 27 1998

FPSC - Records/Reporting

DATE: January 27, 1998

TO: DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF APPEALS (BELLAK) RCB

RE: DOCKET NO. 971313-EU - ORDER EXPEDITING DISCOVERY

98-0161-PCD-EU

Please issue the attached Order Expediting Discovery at your convenience.

RCB/jb Attachment

See 1

110016 10011 8/3

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-URECEIVED

DATE: January 23, 1998

JAN 23 1998

TO: BLANCA FAYO, DIRECTOR OF RECORDS AND REPORTING PSC - Records/Reporting

FROM: RICHARD C. BELLAK, DIVISION OF APPEALS PCB

RE: DOCKET NO. 971313-EU

98-0128-PCS-EU

FILE NAME: IMCDECL.MRD

Attached is an order to be issued as soon as possible.

RCB Attachment MUST GO TODAY

cc: Wanda Terrell

See 6

ORR muded

State of Florida



Bublic Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: January 9, 1998

TO:

BLANCA BAYO, DIRECTOR OF RECORDS AND REPORTING JAN 12 1998

FROM: RICHARD C. BELLAK, DIVISION OF APPEALS

DOCKET NOS. 971446-EU, 971337-EU AND 971313-EU RE:

PSC-98-0074-FOF-EU

FILE NAME: IMCORDER.MRD 8 Pg.

DUKEORDE . MRD

LLPORDER.MRD

Attached are orders to be issued as soon as possible.

DWC Attachment

cc: Wanda Terrell

su (5) in 971313 + (7)





-M-E-M-O-R-A-N-D-U-M-

DATE: November 26, 1997

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 971313-EU, WORKSHOP/MEETING HELD 11-17-97

RE: PETITION OF IMC AGRICO FOR A DECLARATORY STATEMENT

CONFIRMING NON-JURISDICTIONAL NATURE OF PLANNED SELF-

GENERATION

DOCUMENT NO: 12077, 11-24-97

The transcript for the above transcribed hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, WAW

Acknowledged by:

JK/pc

PSC/RAR 28 (Rev7/94)



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE:

Blanca Bayó, Director, Records and Reporting TO:

FROM: Joy Kelly, Chief, Bureau of Reporting

RE:

DOCKET NO.

971313-EU

DOCUMENT NO: 13 18497 TRN

The transcript for the above transcribed hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

Acknowledged by:

mas

JK/pc

PSC/RAR 28 (Rev7/94)

MUSSELL A. BADDERS

BEGGS & LANE

PENSACOLA, FLORIDA 32576-2950

SEVENTH PLOOR BLOWNT BUILDING 3 WEST GARDEN STREET PENSACOLA, PLORIDA 32501 TELEPHONE 18041 432-8481 TELECOPIER 18041 463-3330

> E. DIAIE BEGGS Motored BERT H. LANE 1917-1941

December 10, 1996

Ms. Blanca Bayo
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

RE: Docket Nos. 971497-EG, 971446-EU, 971313-EU and 971337-EU

Dear Ms. Bayo.

Please include Gulf Power Company as an interested party in the following dockets:

971313-EU Petition by IMC-Agrico Company for declaratory statement confirming non-jurisdictional nature of planned self-generation.

971337-EU Petition of Duke Mulberry Energy, L.P. and IMC-Agrico Company for a declaratory statement concerning eligibility to obtain determination of need pursuant to Section 403.519, F.S.

971446-EU Petition for declaratory statement by Duke Energy New Smyrna Beach Power Company, L.L.P. concerning eligibility to obtain determination of need pursuant to Section 403.519, F.S., Rules 25-22.080 and .081, F.A.C., and pertinent provisions of the Florida Electrical Power Plant Siting Act.

971497-EG Petition for declaratory statement by Holiday Villas II Condominium Association, Inc., pursuant to Section 120.565, F.S., as to application of Rule 25-6.049(5)(a)(3), F.A.C.



ATTORNETS AND COUNSELORS AT LAW

----JOHN M. ARIALE DANIEL C. BROWN DILL L. BRYANT, JR MANCY M. BURKE JONATHAN B. BUTLER BICHARD & COATES BERT L COMBS - AILEY DAVIS JOSÉ A. DIEZ-AMGUELLES MARTIN S. DIN RENNETH W. DONNELLY PAUL R. EZATOFF WILLIAM M. FURLE MITCHELL B. MAIGLER DAVID & MEALY HARR E HAPLAN ALLAN J. KATZ BRIAN C. KER! EDWARD L. RUTTER ---RICHARD B. LORD JOHN C. LOYETT ---

POST OFFICE BOX 1877 SESSE 1877
RESERVOIST CHPTER
106 HAST COLLEGE AVENUE, 12 TLOOR
TALLAMASSEE, FLORIDA GCGOI
TELEPHONE (050) 824-9004
TELECOPIER (800) 824-9004
TELECOPIER (800) 824-909

SUPERINT CENTER
SUITE 1448
E00 BOOTH GRANGS AVENUE
ORLANDO, FLORIDA SESOI
TREMPRORE (407) 443-5480
TRESCOPER (407) 643-6483

REPLY TO: TALLABASSES

November 14, 1997

TRAVIS L MILLEM BRUCE D. PLATT JOHN RADET GART IT THIN J. LAMBY WILLIAMS BAVIS A. YOM PAUL A. ELIGLEM

> GORDON D CHERR MICHAEL E INGRAM EDWARD B. JAFFRY RATRICK F. MARQUEY

SCHOOL OF MESSEN, IN THE SENSE OF THE SENSE

J. ANDREW RELLER, ID. C.P.A.

VIA PACSIMILE

Ms. Blanca Bayo Director of Records & Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 RECEIVED

NOV 1 4 1997

FPSC - Records/Reporting

Dear Ms. Bayo:

Please add the following persons as interested persons in Docket 971313, Docket 971337, and Docket 971446.

Richard Blandford, Director
Enron Capital & Trade Resources Corporation
1400 Smith Street
Houston, Texas 77002-7361
Phone: (713) 853-5814
Fax: (713) 646-3483

Bill Bryant
Jose Diez-Arguelles
Katz, Kutter, Haigler, Alderman, Bryant & Yon
106 E. College Avenue, 12th Floor
Taliahassee, FL 32301
Phone: (850) 224-9634
Fax: (850) 224-2336

The Law Offices of MOYLE FLANIGAN KATZ KOLINS RAYMOND SHEEHAN P.A.

210 S. MONROE TALLAHASSEE, FLORIDA 32301

TELEPHONE (850) 681-3828 FACSIMILE (850) 681-8788

OTHER OFFICES:

RESIDENT ATTORNEY

JON C. MOYLE, JR.

RECEIVED

OCT 27 1997

WEST PALM BEACH (561) 659-7500

STUART (561) 288-1144

> PALM BEACH GARDENS (561) 625-6480

October 23, 1997 FPSC - Records/Reporting

BY U.S. MAIL

Blanca S. Bayo, Director Records and Reporting Public Service Commission 2540 Shumard Oaks Drive Tallahassee, FL 32399-0850

Dear Ms. Bayo:

I would appreciate it if you would include the law firm of Moyle, Flanigan, Katz, Kolins, Raymond & Sheehan as an interested party in the following dockets:

Docket No. 971313-EU

Petition by IMC-Agrico Company for declaratory statement confirming non-jurisdictional nature of planned self-generation

Docket No. 971337-EU

Petition of Duke Mulberry Energy, L.P., and IMC-Agrico Company
For a Declaratory Statement Concerning Eligibility to Obtain
Determination of Need Pursuant to Section 403.519, Florida Statutes.

Sincerely,

Jon C. Moyle, Jr.

JCM/jd



RECEIVED

OCT 2 A 1997

FPSC - Records/Reporting

2916 Apalachee Parkway P.O. Box 590 Tallahassee, Florida 32302 (904) 877-6166 FAX: (904) 656-5485

October 21, 1997

Ms. Blanca S. Bayo, Director Division of Records & Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0870

Dear Ms. Bayo:

Please accept this letter as our official request to be put on the mailing list for the following docket(s):

Docket No. 971313-EU

Thank you for your assistance in this matter.

Sincerely,

Michelle Hershel Director of Regulatory Services

MH/hd

RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA
KENNETH A. HOFFMAN
THOMAS W. KONRAD
MICHAEL G. MAIDA
J. STEPHEN MENTON
R. DAVID PRESCOTT
HAROLD F. X. PURNELL
GARY R. RUTLEDGE
R. MICHAEL UNDERWOOD

WILLIAM B. WILLINGHAM

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420 TALLAHASSEE, FLORIDA 32301-1841

> TELEPHONE (850) 681-6788 TELECOPIER (850) 681-6515

October 17, 1997

GOVERNMENTAL CONSULTANTS PATRICK R. MALOY AMY J. YOUNG

RECEIVED

OCT 2 U 1997

FPSC - Records/Reporting

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

RE: Florida PSC Docket Nos. 971313-EU and 971337-EU

Dear Ms. Bayo:

The undersigned represents the City of Tallahassee ("Tallahassee"). Tallahassee is interested in the above-referenced dockets. Please provide copies of all notices, CASRs, orders, staff recommendations, pleadings and other documents filed, served or issued in the above-referenced dockets to the following:

Kenneth A. Hoffman, Esq.
William B. Willingham, Esq.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, FL 32302-0551
(850) 681-6788 (phone)
(850) 681-6515 (fax)

Thank you for your assistance in this matter.

Sincerely,

Kenneth A. Hoffman



Commissioners: Julia L. Johnson, Chairman J. Terry Deason Susan F. Clark Diane K. Kiesling Joe Garcia



DIVISION OF RECORDS & REPORTING BLANCA S. BAYÓ DIRECTOR (850) 413-6770

Budlic Serbice Commission

October 10, 1997

Joseph A McGlothlin, Esquire McWhirter, Reeves, McGlothlin, Davidson, Rief & Bakas, P.A. 117 South Gadsen Street Tallahassee, Florida 32301

Re: Docket No. 971313-EU

Dear Mr. McGlothlin:

This will acknowledge receipt of a petition by IMC-Agrico Company for a declaratory statement confirming non-jurisdictional nature of planned self-generation, which was filed in this office on October 10, 1997 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Division of Records and Reporting Florida Public Service Commission



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FPSC - Records/Reporting November 17, 1997

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Blanca Bayó, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Re: Docket Nos. 971313; 971337; 971446 (IMC/Agrico;

Duke Energy/IMC; Duke Energy/New Smyrna)

Dear Ms. Bayó:

LEAF requests that it be added to the list of interested parties and receive mailings related to the above-referenced dockets. Thank you.

Sincerely,

Gail Kamaras, Director

Gail Kamaros

Energy Advocacy Program