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PLEASE REPLY TO:  
TALLAHASSEE  
August 28, 1990

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FILE COPY**

**HAND DELIVERED**

Mr. Steve Tribble, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32399

Re: Docket No. 900004-EU, Hearings on load forecasts,  
generation expansion plans and cogeneration prices for  
Peninsular Florida's electric utilities.

Dear Mr. Tribble:

Enclosed for filing and distribution are the original and 15  
copies of Nassau Power Corporation's Response to AES' Motion for  
Clarification of Order No. 23235.

Also enclosed is an extra copy of Nassau Power Corporation's  
Response to AES' Motion for Clarification of Order No. 23235.  
Please stamp the extra copy with the date of filing and return it  
to me.

ACK  \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_ Thank you for your assistance.

CAF \_\_\_\_\_

CMU \_\_\_\_\_

CTR \_\_\_\_\_

EAG \_\_\_\_\_

LEG 1 \_\_\_\_\_

LIN 6 \_\_\_\_\_

OPC VGK/jwm  
Enclosures

RCH \_\_\_\_\_

SEC 1 \_\_\_\_\_

WAS \_\_\_\_\_

OTH \_\_\_\_\_

Sincerely,

*Vicki Gordon Kaufman*  
Vicki Gordon Kaufman

RECEIVED & FILED

*J. J.*  
EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

07751 AUG 28 1990

EPSC-RECORDS/REPORTING

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Hearings on load forecasts, )  
generation expansion plans and )  
cogeneration prices for Peninsular )  
Florida's electric utilities. )

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DOCKET NO. 900004-EU  
FILED: August 28, 1990

**NASSAU POWER CORPORATION'S RESPONSE TO AES'  
MOTION FOR CLARIFICATION OF ORDER NO. 23235**

Nassau Power Corporation ("Nassau"), through its undersigned counsel, pursuant to rule 25-22.037(2)(b), Florida Administrative Code, files its response to AES' Motion For Clarification of Order No. 23235. In support Nassau states:

1. On July 23, 1990, the Commission issued Order No. 23235. This order discussed five issues related to subscription and allocation of the statewide avoided unit.

2. On August 13, 1990, AES and Nassau filed motions for clarification of Order No. 23235.

3. AES suggests that clarification of the Commission's language in Order No. 23235 is needed with respect to Issues 1, 4, and 5. AES fears that Order No. 23235, if not so clarified, will be construed to preclude utilities from negotiating contracts with cogenerators with in-service dates prior to 1996 and using their own units to measure cost-effectiveness. The language suggested by AES is more precise than the language of the order, and Nassau does not object to such language. However, Nassau does not agree that Order No.

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23235, as written, would cause the result which AES describes. Nassau submits that when the provisions of the order are read together, the intent of the Commission to adhere to the May 25 decision is clear. The Commission's discussion of Issues 4 and 5, when read together, evince the Commission's intent not to evaluate contracts outside the bounds of the statewide avoided unit against the statewide unit's cost parameters or count them toward the subscription limit.

4. As stated in its own motion, Nassau agrees the order contains ambiguous language. In order to remove any opportunity for dispute in the future, Nassau believes that Order No. 23235 should be clarified as set forth in Nassau's motion.

*Vicki Gordon Kaufman*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Nassau Power Corporation's Response to AES' Motion for Clarification of Order No. 23235 has been furnished by hand delivery\* or by U.S. Mail to the following parties of record, this 28th day of August, 1990:

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