

ORIGINAL

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February 2, 1998

HAND DELIVERED

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 IMC-Agrico Company for a Declaratory
Statement Confirming Non-Jurisdictional Nature of Planned
Self-Generation; FPSC Docket No. 971313-EU

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Preliminary List of Issues.

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

ACK _____
AFA _____
APP Bellab
CAF _____
CMU _____ JDB/pp
CTR _____ Enclosures
EAG 5cc: All Parties of Record (w/enc.)
LEG _____
LIN 5
OPC _____
RCH _____
SEC 1
WAS _____
OTH _____

DOCUMENT NUMBER-DATE
01700 FEB-28
FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of IMC-Agrico Company)
for a Declaratory Statement Confirming)
Non-Jurisdictional Nature of Planned) DOCKET NO. 971313-EU
Self-Generation.) FILED: February 2, 1998
_____)

**TAMPA ELECTRIC COMPANY'S
PRELIMINARY LIST OF ISSUES**

The following issues are preliminary in nature. They are subject to being modified and supplemented, particularly in view of the fact that Tampa Electric has yet to receive responses to any of its pending discovery requests.

1. What are the attributes of ownership necessary for IMCA to establish a unity of interest for self-generation?

1. Will the proposed transaction result in a unity of interest between IMCA and the owner of the proposed project?

2. Is the proposed transaction self-generation or a retail sale that subjects the owner to regulation as a public utility?

WHEREFORE, Tampa Electric Company submits the foregoing as its Preliminary List of Issues.


DOCUMENT NUMBER-DATE

01700 FEB-28

FPSC-RECORDS/REPORTING

DATED this 2nd day of February, 1998.

Respectfully submitted,


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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Preliminary List of Issues, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) this 2nd day of February, 1998 to the following:

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