

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In Re: Petition for Determination of)
Need for an Electrical Power Plant in)
Okeechobee County by Okeechobee)
Generating Company, L.L.C.)

DOCKET NO. 99-1462-EU
RECORDS AND REPORTING
FILED: JANUARY 18, 2000

OKEECHOBEE GENERATING COMPANY'S RESPONSE
TO FLORIDA POWER & LIGHT COMPANY'S
SUPPLEMENTAL MOTION TO COMPEL

Okeechobee Generating Company, L.L.C. ("OGC"), pursuant to Uniform Rule 28-106.204, Florida Administrative Code, and the Order Establishing Procedure, as revised, hereby respectfully submits this Response to Florida Power & Light Company's ("FPL") Supplemental Motion to Compel Responses to FPL's First and Second Sets of Interrogatories and First and Second Requests for Production of Documents ("FPL's Supplemental Motion to Compel"), which was filed on January 5, 2000.¹ As explained herein, FPL's Supplemental Motion to Compel should be denied. In support of this response, OGC says:

ARGUMENT

FPL's Supplemental Motion to Compel can be separated into two categories: 1) a general request that OGC be compelled to disclose

AFA _____
APP _____
CAF _____
CMU _____
DTR _____
EAG 2 request for OGC to identify specific computer files in materials
LEG _____
MAS 3 already produced to FPL that are specifically responsive to certain
OPC _____
DTR _____
SEC 1
WAW _____
OTH _____
_____ ¹FPL's Certificate of Service erroneously indicates that OGC was served a copy of FPL's Supplemental Motion to Compel by hand delivery. In fact, FPL served OGC by U.S. Mail. Accordingly, under the Uniform Rules of Procedure, OGC's response is due on January 18, 2000.

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FPSC-RECORDS/REPORTING

FPL's discovery requests.

As a preliminary matter, it should be noted that FPL failed to confer with OGC as required by Rule 28-106.204(3), F.A.C., prior to filing its Supplemental Motion to Compel.² If FPL had complied with Rule 28-106.204(3), F.A.C., it would have learned that OGC had already compiled the list of specific computer files requested in FPL's Supplemental Motion to Compel and was in the process of confirming the accuracy of that list.

I. OGC HAS NOT WITHHELD ANY DOCUMENTS OR INFORMATION RESPONSIVE TO FPL'S DISCOVERY REQUESTS ON THE GROUNDS THAT THE DOCUMENTS OR INFORMATION ARE IN THE CONTROL OF OGC'S PARENT AND/OR AFFILIATES.

In its objections to FPL's discovery requests, OGC raised a general objection to any discovery requests directed to OGC's parent and/or affiliates. In its Supplemental Motion to Compel, FPL argues that OGC's parent and/or affiliates should be required to disclose responsive documents and information.³ However, OGC has not withheld any documents or information based on that objection. Rather, OGC has not disclosed the documents and information sought by FPL because they

²This is the second time in this proceeding that FPL has failed to comply with Rule 28-106.204(3), F.A.C. See "FPL's Correction to Motion for Leave to File Memorandum in Reply to OGC's Memorandum of Law in Opposition to FPL's Motion to Dismiss Petition."

³OGC disagrees that the duty to comply with FPL's discovery requests applies to all of OGC's indirect affiliates (as opposed to the parent). Nothing in the cases cited by FPL supports this proposition. However, since OGC's indirect affiliates have no responsive documents, the point is moot.

represent highly confidential, proprietary business information protected from disclosure to FPL by the Florida Rules of Civil Procedure. OGC's basis for objecting to FPL's discovery requests is more fully developed in OGC's Second Motion for Protective Order, which OGC is filing concurrently with this response and which is incorporated by reference herein. Accordingly, for the reasons set forth in OGC's Second Motion for Protective Order, FPL's attempt to require OGC to disclose highly sensitive confidential, proprietary trade secrets of its parent corporation, PG&E Generating Company, L.L.C., should be denied.

II. OGC HAS ALREADY IDENTIFIED FOR FPL EACH SPECIFIC COMPUTER FILE REQUESTED IN FPL'S SUPPLEMENTAL MOTION TO COMPEL, THUS FPL'S SUPPLEMENTAL MOTION TO COMPEL IS MOOT.

In its Supplemental Motion to Compel, FPL accuses OGC of responding to certain of FPL's discovery requests with a "data dump" containing approximately "67 megabytes of spreadsheets and other data."⁴ OGC respectfully disagrees with FPL's alliterative characterization of OGC's responses to FPL's discovery requests.

OGC timely and completely responded to certain of FPL's discovery requests by producing the input and output data of the Altos Models containing the information sought by FPL. Though admittedly

⁴In earlier filings in this docket, FPL has accused OGC of not providing enough information with regard to the Altos Models. See FPL's Motion to Compel OGC to Respond to Discovery Requests at 8 (describing the Altos data produced by OGC as "limited information"). Both of FPL's accusations are nonsense. As OGC has consistently stated, it has provided all the input and output of the Altos Models prepared in support of OGC's Petition.

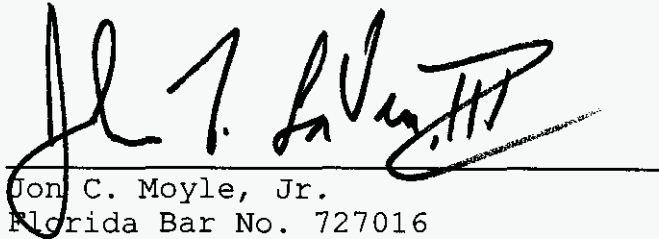
voluminous, the "spreadsheets and other numerical data" provided by OGC in response to FPL are all contained in labeled computer files that FPL should, with moderate effort, have been able to locate.

Upon learning of FPL's difficulties in interpreting OGC's responses to FPL's discovery requests, OGC voluntarily compiled a specific list of computer files for FPL. By correspondence dated January 12, 13, and 18, 2000, OGC identified the computer files FPL requested. (Copies of OGC's January 12, 13, and 18, 2000 correspondence to FPL are attached hereto as Exhibits A, B and C respectively.) Accordingly, FPL has already received all the information requested in the second part of its Supplemental Motion to Compel and thus, that portion of FPL's Supplemental Motion to Compel is moot.

CONCLUSION

For the reasons stated herein, FPL's Supplemental Motion to Compel should be denied.

Respectfully submitted this 18th day of January, 2000.



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Attorneys for Okeechobee Generating
Company, L.L.C.

CERTIFICATE OF SERVICE
DOCKET NO. 991462-EU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by hand delivery (*) or by United States Mail, postage prepaid, on the following individuals this 18th day of January, 2000.

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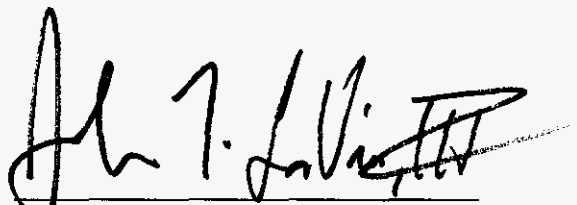
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January 12, 2000

VIA FACSIMILE

Charles A. Guyton, Esquire
Steel Hector & Davis
215 South Monroe Street
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Tallahassee, Florida 32301

Re: Outstanding Discovery Matters

Dear Charlie:

This letter is a follow-up to our discussions of the past several weeks and to your letter of December 10, 1999, in which you asked a number of specific questions concerning OGC's responses to FPL's discovery requests. This letter responds to your questions.

First, with regard to numerous of FPL's discovery requests, you have asked whether additional OGC or PG&E Generating documents exist that are responsive to those requests. We have confirmed the following with our client:

- a. No additional OGC documents responsive to any of FPL's discovery requests exist;
- b. Only one PG&E Generating document, that we have not previously identified, would be responsive to FPL's discovery requests. That document is the PG&E Generating Pro Forma for the Okeechobee Generating Project ("PG&E Generating's Pro Forma"). PG&E Generating's Pro Forma is a composite document maintained by PG&E Generating in both hard copy and Excel spreadsheet format. The document contains highly confidential, proprietary business information including PG&E Generating's forward price curves for energy and capacity, natural gas transportation costs, costs of capital, rates of return, net revenue projections and other highly sensitive privileged business information. Because of the highly sensitive nature of the information contained in PG&E Generating's Pro Forma, there are no terms or conditions under which OGC would be willing to disclose the document to FPL, a competitor of PG&E Generating in numerous other markets.

EXHIBIT "A"

Next, OGC offers the following responses to FPL's specific questions.

FPL's First Set of Interrogatories:

1. OGC's response to this interrogatory was inadvertently omitted. The facilities contemplated by OGC for looping the FPL 230kV Sherman-Martin transmission line into the switchyard of the Project are shown on Figure 6 of the Exhibits to the Petition for Determination of Need. If the information shown on Figure 6 is not sufficiently descriptive, please let us know.

2. There are no terms and conditions under which OGC will disclose this information to FPL.

3. There are no terms and conditions under which OGC will disclose this information to FPL.

5(g). OGC did not intend to distinguish between sales of "energy" and sales of "capacity" in this response. If FPL would like OGC to clarify this point, we will file a supplemental response.

11. The file designated SUMRPT.XLS, which is located in the case folders, includes the Electric Model output data for cases with and without the Okeechobee Generating Project for 2003-2013. The file designated CASECOMPARE.XLS contains the charts and worksheets in which the two cases, i.e., with and without the Okeechobee Generating Project, are analyzed to determine the Project's displacement effects.

14. The only analyses or projections OGC did not identify (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL.

15. Refer to the folders in FORWCURVE designated 2003 COAL, 2003 GT, and 2003 OIL.

18. The only analyses or projections OGC did not identify (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma. With regard to the specific subfiles on the Altos diskette, please refer to the files designated OPERYEAR.XLS in FORWCURVE for each year.

19. The only analyses or projections OGC did not identify (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's

Charles A. Guyton
January 12, 2000
Page 3

Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma. With regard to the specific subfiles on the Altos diskette, please refer to the files designated CASECOMPARE.XLS and FORWCURVE/2003/SUMRPT.XLSSS and FORWCURVE/2003WO/SUMRPT.XLS.

20. The only analyses or projections OGC did not identify (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma. With regard to the specific subfiles on the Altos diskette, please refer to the files designated FORWCURVE/[year]/SUMRPT.XLS.

21. The documents identified are the only documents currently in OGC's possession that are responsive to this interrogatory. OGC may identify additional responsive documents between the date of this response and the final hearing in this matter.

27. Please refer to the files designated SUMRPT.XLS and OPERYEAR.XLS in all year folders.

29. OGC has no independent knowledge concerning the information requested by this interrogatory.

30. As previously stated, OGC's response to this interrogatory is "no." If you wish, we will file a supplemental response to this interrogatory to clarify this.

31. OGC has not specifically calculated the probability of brownouts and blackouts in Peninsular Florida.

32. There are no additional analyses responsive to this interrogatory. With regard to the specific subfiles on the Altos diskette, please refer to the file designated CASECOMPARE.XLS and the "supply stack" curve designated FRCCSST.XLS.

33. There are no additional analyses responsive to this interrogatory. With regard to the specific subfiles on the Altos diskette, the CASECOMPARE.XLS files contain the regional locations of the types of facilities displaced by the Okeechobee Generating Project.

35. There are no additional analyses responsive to this interrogatory. With regard to the specific subfiles on the Altos diskette, please see the files designated INPUTS/FUEL.XLS.

36. There are no additional analyses responsive to this interrogatory. With regard to the specific subfiles on the Altos diskette, please see the files designated INPUTS/FUEL.XLS.

40. The Altos Model runs used \$2,200 per MW-year for preservation costs, which include fixed O&M costs. There are no terms or conditions under which OGC will disclose other internal O&M projections of PG&E Generating.

41. The Altos Model runs used \$2.30/MWH which consisted of \$2.00/MWH for cycling, starts, overhauls, and similar costs and \$0.30/MWH for consummables. There are no terms and conditions under which OGC will disclose other internal O&M projections of PG&E Generating.

42. As stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific information.

44. The only analyses or projections OGC did not identify (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL. As stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific information.

45. The only analyses or projections OGC did not identify (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL.

46. There are no terms or conditions under which OGC will disclose this information to FPL.

47. OGC has received no assurances with regard to the ABB documents. As stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific information.

50. OGC's response to this interrogatory is complete.

52. OGC is without knowledge as to its indirect affiliates.

56. The answer provided by OGC is responsive to this interrogatory. With regard to the specific subfiles on the Altos diskette, please refer to the files designated CASECOMPARE.XLS and SUMRPT.XLS in FORWCURVE/2003 and FORWCURVE/2003WO.

59. The answer provided by OGC is responsive to this interrogatory.

60. The only analyses or projections OGC did not identify (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL.

FPL's Second Set of Interrogatories

62-70. OGC stands by its objections to these interrogatories. Though not specifically directed to experts by name, the interrogatories clearly require one of OGC's experts to respond. As such, the interrogatories are beyond the scope of discovery authorized by the Florida Rules of Civil Procedure. OGC's response (as opposed to the experts) would be that OGC reasonably relied on its experts and has no independent knowledge to respond to the interrogatories. FPL should pose these questions during depositions of OGC's expert witnesses.

FPL's Third and Fourth Sets of Interrogatories

OGC is not aware of any specific questions that have not been previously answered or addressed in OGC's response to FPL's second motion to compel with regard to these interrogatories.

FPL's First Request for Production

1. There are no additional OGC or PG&E Generating documents responsive to this request.

2. There are no additional OGC or PG&E Generating documents responsive to this request. With regard to the ABB documents identified in the response, as stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific information.

3. There are no additional OGC or PG&E Generating documents responsive to this request. With regard to the ABB documents identified in the response, as stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific information.

4. There are no additional OGC or PG&E Generating documents responsive to this request.

5. There are no additional OGC or PG&E Generating documents responsive to this request.

7. There are no additional OGC or PG&E Generating documents responsive to this request.

8. There are no terms or conditions under which OGC or Gulfstream will agree to disclose the requested documents to FPL.

13. There are no additional OGC or PG&E Generating documents responsive to this request. With regard to the specific subfiles on the Altos diskette, please see the folders designated 2003 COAL, 2003 GT, and 2003 OIL for evaluations of coal, simple cycle gas turbine, and oil steam alternatives, respectively. Within each folder, see the file designated SUMRPT.XLS and OPER2003.XLS.

14. The only documents OGC did not produce (because PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL. With regard to the specific subfiles on the Altos diskette, the files designated SUMRPT.XLS and OPER[year].XLS in all cases and folders are responsive to this request.

15. There are no additional OGC or PG&E Generating documents responsive to this request. With regard to the specific subfiles on the Altos diskette, all folders and files are responsive.

16. The only documents OGC did not produce (because PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL. With regard to the specific subfiles on the Altos diskette, please see the files designated OPER[year].XLS in the year folders 2003 to 2013.

17. There are no additional OGC or PG&E Generating documents responsive to this request. With regard to the specific subfiles on the Altos diskette, please see the files designated CASECOMPARE.XLS and SUMRPT.XLS in the 2003 and 2003WO folders.

18. There are no additional OGC or PG&E Generating documents responsive to this request. With regard to the specific subfiles on the Altos diskette, please see the files designated SUMRPT.XLS in all cases and folders.

19. OGC's answer is fully responsive to the request as written.

21. There are no additional OGC or PG&E Generating documents responsive to this request.

24. As stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific information.

25. Attached hereto is a letter dated November 16, 1999, from Eric Grina of ABB to Sean Finnerty which is responsive to this request. We were not aware of this letter on November 17, 1999, the day OGC responded to FPL's First Request for Production of Documents. No additional documents are responsive to this request.

26. As stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific information.

27. The documents identified are the only documents of which OGC is currently aware.

30-33. OGC has stated its position with regard to the Altos Models in its motion for protective order.

36. The only documents OGC did not produce (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL.

FPL's Second Request for Production

37. We have not yet identified the specific subfile responsive to this request. We will provide you the information under separate cover in the next few days.

38. We have not yet identified the specific subfile responsive to this request. We will provide you the information under separate cover in the next few days.

40. The supplemental response is clear--OGC has identified all specific documents upon which it relied. As noted in OGC's response to FPL's First Motion to Compel, it is functionally impossible for OGC to identify all responsive documents to this broad request. Mr. Kordecki has been an active participant in the Florida electric utility industry for nearly 35 years and his knowledge and conclusions have been informed by hundreds of documents. Accordingly, there may be other documents responsive.

43. The only documents OGC did not produce (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL.

44. There are no additional OGC or PG&E Generating documents responsive to this request.

45. There are no additional OGC or PG&E Generating documents responsive to this request.

46. The supplemental response is clear--OGC has identified all specific documents upon which it relied. As noted in OGC's response to FPL's First Motion to Compel, it is functionally impossible for OGC to identify all responsive documents to this broad request. Mr. Vaden has been an active participant in the Florida electric utility industry for nearly 13 years and his knowledge and conclusions have been informed by hundreds of documents. Accordingly, there may be other documents responsive.

49-50. Attached hereto is an additional document responsive to request No. 50.

52. The only responsive documents being withheld are listed in the response. As to the ABB documents, as stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. We are presently awaiting a letter confirming this from ABB; as soon as we receive it, we will furnish copies (at FPL's expense) of the subject reference material. However, ABB will not agree to allow OGC to disclose bid-specific

Charles A. Guyton
January 12, 2000
Page 9

information. As to internal project performance, the only documents OGC did not produce (because, as stated in OGC's objections, PG&E Generating is not a party to this proceeding) is PG&E Generating's Pro Forma. There are no terms or conditions under which OGC will disclose PG&E Generating's Pro Forma to FPL.

53. As stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. However, ABB will not agree to allow OGC to disclose bid-specific information.

56. See OGC's response to FPL's Second Motion to Compel.

58. As stated in our January 4, 2000 correspondence to John Butler and Jill Bowman, it appears likely that ABB will agree to disclose the reference material identified by OGC in its response to this interrogatory. However, ABB will not agree to allow OGC to disclose bid-specific information.

59. There are no other documents responsive to this request.

FPL's Third Request for Production

65. There are no terms or conditions under which OGC will disclose the documents to FPL.

Should you have any additional questions, please feel free to give me or Schef a call.

Sincerely,



John T. LaVia, III

cc: Jon Moyle
Sean Finnerty
Bruce Richardson
Jill Bowman

ABB ALSTOM
POWER

U.S. Operations

November 16, 1999

VIA FACSIMILE

Sean Finnerty
PG&E Generating Company
One Bowdoin Square
Boston, MA 02114-2910

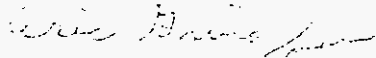
Subject: Gas Turbine Availability

Dear Sean,

ABB ALSTOM POWER is pleased to confirm the availability of GT24 based reference plants for commercial operation in early 2003 time frame.

Please contact me if we can be of further assistance.

Very truly yours,



Eric Grina
Regional Sales Manager
ABB ALSTOM POWER

FPL's First Request for Production #25

Utilities Commission, City of New Smyrna Beach Generating Resources, Peak Demands, Reserves, and Capacity Requirements, 2002-2010

UCNSB Committed Resources, 2002-2010

<u>Source</u>	<u>MW</u>
Crystal River 3	4
St Lucie	8
UCNSB Local Generation	<u>18</u>
Sub Total	30
NSB Power Project	<u>72</u>
Total	102

	2002	2003	2004	2005	2006	2007	2008	2009	2010
Peak Firm Demand	97.0	101.0	104.0	108.0	112.0	116.0	120.0	124.0	128.0
Reserve Margin at 20%	19.4	20.2	20.8	21.6	22.4	23.2	24.0	24.8	25.6
Total Capacity Requirements	116.4	121.2	124.8	129.6	134.4	139.2	144.0	148.8	153.6
Committed Resources as of December 1999	102.0	102.0	102.0	102.0	102.0	102.0	102.0	102.0	102.0
Needed Additional Capacity	14.4	19.2	22.8	27.6	32.4	37.2	42.0	46.8	51.6

FPL's Second
 Request for
 Production #50

LANDERS & PARSONS, P.A.
ATTORNEYS AT LAW

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January 13, 2000

VIA FACSIMILE

Charles A. Guyton, Esquire
Steel Hector & Davis
215 South Monroe Street
Suite 601
Tallahassee, Florida 32301

RE: Outstanding Discovery Matters

Dear Charlie:

This letter supplements my letter to you of January 12, 2000, and provides the two missing subfile references.

FPL's Second Request for Production

37. That there is an immediate need for an additional 5,400 MW is shown by inference from the files identified as FLLOADFCST.XLS and SUMRPT.XLS for all cases from 2003 through 2013. The FLLOADFCST file shows all projected generation additions assumed in the "base" of the Altos Model runs plus additional units included in evaluating the economics of the Okeechobee Generating Project. The runs show that the addition of one 540 MW plant, the Okeechobee Generating Project, causes an immediate price reduction of approximately 40 cents per MWH, even without any allowance for additional price reductions due to transmission cost reductions. The runs also show that, because all new (and old) generation is "marked to market," the profit margins are great enough to support entry by all projected units except the Sanford repowering plus approximately 7,000 MW (nominal) of additional combined cycle capacity over the 2003-2013 period.

38. Please refer to the SUMRPT.XLS tables showing sources and disposition of energy by region and by year. These runs show that during on-peak periods, the prices across regions are similar and accordingly, that the incentive to transmit power from one region to another is greatly reduced as compared to the price-driven incentives in non-peak periods.

EXHIBIT "B"

Charles A. Guyton
January 13, 2000
Page 2

Please give me a call if you have any additional questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "John T. LaVia, III".

John T. LaVia, III

cc: Jon Moyle
Sean Finnerty
Bruce Richardson
Jill Bowman

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January 18, 2000

VIA FACSIMILE

Charles A. Guyton, Esquire
Steel Hector & Davis
215 South Monroe Street
Suite 601
Tallahassee, Florida 32301

RE: Outstanding Discovery Matters

Dear Charlie:

This letter supplements my letters of January 12, 2000, and January 13, 2000, concerning specific references to subfiles on the Altos' diskettes. On January 14, 2000, Gabe Nieto informed me that FPL had not yet received a specific subfile reference for OGC's response to FPL's request to produce No. 12. My notes do not indicate that you had asked for such a response, but it is possible that I misunderstood your request. The specific subfile reference is as follows:

FPL's First Request for Production

12. The file designated SUMRPT.XLS, which is located in the case folders, includes the Electric Model output data for cases with and without the Okeechobee Generating Project in service for the years 2003 through 2013.

The file designated CASECOMPARE.XLS contains the charts and worksheets in which the two cases (i.e., with and without the Okeechobee Generating Project in service) are analyzed to determine the Project's displacement effects.

EXHIBIT "C"

Charles A. Guyton
January 18, 2000
Page 2

Please give me a call if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John T. LaVia, III". The signature is stylized and cursive.

John T. LaVia, III

cc: Jon Moyle
Sean Finnerty
Bruce Richardson
Jill Bowman
Gabe Nieto