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ORIGINAL

March 14, 2000

HAND DELIVERED

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Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re:

Petition for determination of need for an electrical power plant in Okeechobee

County by the Okeechobee Generating Company, L.L.C.;

FPSC Docket No. 991462-EU

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Response in Opposition to Okeechobee Generating Company's Motion for Continuance and Revised Procedural Schedule.

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.

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___LLW/pp ---Enclosures

Cc: All Parties of Record (w/enc.)

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NEAU OF RECORDS

DOCUMENT NUMBER - DATE

03258 MAR 148

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination of Need for an Electrical Power Plant in Okeechobee County by Okeechobee Generating Company, L.L.C.)))	DOCKET NO. 991462-EU Filed: March 14, 2000
	,	

TAMPA ELECTRIC COMPANY'S RESPONSE IN OPPOSITION TO OKEECHOBEE GENERATING COMPANY'S MOTION FOR CONTINUANCE AND REVISED PROCEDURAL SCHEDULE

Pursuant to Florida Administrative Code Rule 28-106.204, Tampa Electric Company ("Tampa Electric") hereby responds to the "MOTION FOR CONTINUANCE AND REVISED PROCEDURAL SCHEDULE" filed with the Commission just prior to the close of business on March 13, 2000, by the applicant in this proceeding, Okeechobee Generating Company, L.L.C. ("OGC"). Tampa Electric urges the Commission to deny OGC's request for relief and, instead, dismiss OGC's petition in the instant docket without prejudice, and says:

1. OGC's motion and its request for an expedited ruling are based on its recent epiphany with regard to the serious flaws in its case-in-chief. The core of OGC's case is the testimony of Dr. Dale M. Nesbitt who addresses the need for the proposed project and the associated economic impacts. Apparently, Dr. Nesbitt relied on the wrong inputs for the computer model used to generate his analysis, thereby rendering his conclusions suspect. OGC had ample opportunity to carefully construct its case-in-chief prior to initiating this proceeding. Subsequent to its September 24, 1999, filing of its petition, OGC has had over five months to review and verify the accuracy of its model results.

DOCUMENT NUMBER-DATE
03258 MAR 148

FPSC-RECORDS/REPORTING

2. The Commission and the parties have spent a great deal of time and have expended significant resources in moving this case toward hearings. OGC should not be permitted to further waste this Commission's time by postponing the scheduled hearing to permit additional discovery and major reconstruction of its need analysis. Under the circumstances, OGC's petition should be dismissed without prejudice. If and when OGC can articulate a reasonable argument supporting the need for its proposed project, then it should file a new petition with the Commission. In the alternative, the hearings in this case should proceed as scheduled. If OGC is not able to meet its burden of proof, then the relief requested should be denied.

WHEREFORE, Tampa Electric requests that OGC's Motion for Continuance be denied or in the alternative OGC's petition should be dismissed without prejudice.

DATED this 14th day of March, 2000.

Respectfully submitted,

HARRY W. LONG, JR. Chief Counsel TECO Energy, Inc. Post Office Box 111 Tampa, Florida 33601 (813) 228-4111

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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

HEREBY CERTIFY that a true copy of the foregoing Response in Opposition, filed on behalf of Tampa Electric Company, has been furnished by U.S. Mail or hand delivery (*) on this 14th day of March, 2000 to the following:

Mr. Wm. Cochran Keating* Staff Counsel Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

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