

REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

ORIGINAL

Date of Request: 3/9/2007 Date of Agenda Conference: 3/13/2007 Item No. 23

Docket No.: 060635-EU Brief Title: Taylor Co. Need Det. - JEA, RCID, FMFA & Tallahas.

Requested by: Staff Other Applicants (Name)

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: none specified at this time
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
- Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

On March 9, 2007, the Applicants filed a Motion for Limited Reopening of Record and for Leave to File Supplemental Testimony (see attached). The Applicants request that Item 23 be deferred to allow sufficient time for Commission staff and Intervenor to review the new information, and to conduct whatever additional evidentiary proceedings may be appropriate. Counsel for all Intervenor have indicated that they have no objection to granting the Motion provided they have the opportunity to conduct discovery and cross-examination. By separate letter dated March 9 (see attached), the Applicants agree to waive any applicable deadlines for Commission action under Rule 25-22.080, FAC, to provide sufficient time for the reopening of the record and any subsequent proceedings.

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Signature (Technical Staff): [Signature]

Initials (Division Director or Designee): 198

Signature (Legal Staff): [Signature]

Initials (General Counsel or Designee): MJC

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Approve Request Deny Request

Initials: MHB

Date: 3/9/07

Comments:

CHAIRMAN'S OFFICE:

Approve Request Deny Request

Initials: [Signature]

Date: 3/9/07

Executive Suite will send the original to the Division of Commission Clerk & Administrative Services and return copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

DOCUMENT NUMBER DATE

02179 MAR 12 5

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition To Determine Need For an
Electrical Power Plant in Taylor County by
Florida Municipal Power Agency, JEA, Reedy
Creek Improvement District and City of
Tallahassee.

DOCKET NO. 060635-EU

DATED: March 9, 2007

**APPLICANTS' MOTION FOR LIMITED REOPENING OF RECORD
AND FOR LEAVE TO FILE SUPPLEMENTAL TESTIMONY**

Florida Municipal Power Agency, JEA, Reedy Creek Improvement District and City of Tallahassee ("Applicants"), by and through their undersigned counsel, hereby move to reopen the record of this proceeding and for leave to file supplementary testimony for the purpose of revising certain evidence presented at the hearing in this matter. The Applicants further request that the Commission defer its consideration of the Staff's recommendation, currently scheduled for March 13, 2007, to allow sufficient time for the Staff and Intervenors to review the new information, and request a further evidentiary hearing, if needed, for the limited purpose of examining the revised evidence. In support, the Applicants state:

1. On September 19, 2006, the Applicants initiated this proceeding by filing a need for power application and supporting testimony. After an evidentiary hearing in January, 2007, the Staff of the Commission recommended that the Commission grant the need for power application based on the record of the hearing. At its regularly scheduled agenda conference on February 13, 2007, the Commission voted to defer consideration of the Staff's recommendation until the next agenda conference of March 13, 2007.

2. Within the past several days, it has come to the Applicants attention that certain revised assumptions should be incorporated in the production cost modeling used to determine the economic effect of the City of Tallahassee's participation in the Taylor Energy Center (TEC).

Since this information came to light, the Applicants have worked diligently to perform additional production cost modeling for the City of Tallahassee in order to incorporate the revised assumptions and to determine the resulting effect on the City's cost-effectiveness analyses. Changes also were made to the modeling of TEC for the other Applicants and those results have likewise been reviewed for any changes in cost-effectiveness.

3. To ensure that the Commission can base its final decision on the most accurate information available, the Applicants' respectfully request leave to file the supplemental testimony and Exhibit Nos. ___ (MRR-1S) and ___ (MRR-2S) of Mr. Myron Rollins being submitted contemporaneously with this motion. In the proffered testimony, Mr. Rollins explains the revisions to the City of Tallahassee modeling and the results of the modeling using an algorithm developed specifically to account for operating constraints on the City's system. As Mr. Rollins' supplemental testimony explains, similar changes for the other Applicants are not necessary because the other Applicants do not have the same or similar constraints on their systems as does the City. However, in an effort to impose the most conservative of constraints on the cost-effectiveness analysis, additional modeling analyses also have been performed assuming TEC will be dispatched as a "must run" unit, meaning that each Applicant must take at least its respective ownership share of the minimum output of TEC for every hour TEC is available to operate. As Mr. Rollins' supplemental testimony explains, the updated modeling results are consistent with those previously presented in this proceeding and continue to demonstrate that TEC is the most cost-effective and best overall option to meet each of the Applicants need for capacity and fuel diversification.

4. The Applicants recognize that the Commission, Commission Staff, and the Intervenors will desire to review the new information submitted with this motion. Accordingly, the Applicants respectfully request that the Commission defer its consideration of the Staff's

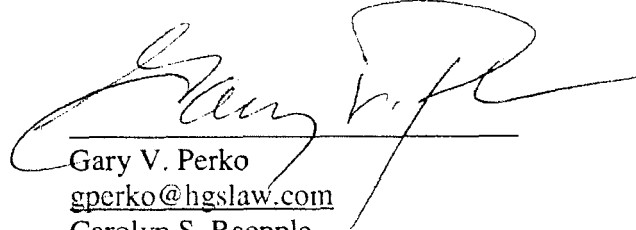
recommendation, currently scheduled for March 13, 2007, in order to allow sufficient time for the Staff and Intervenors to review the new information, and request a further evidentiary hearing, if needed, for the limited purpose of taking testimony and evidence relating to the revised modeling discussed in this motion and the supplemental testimony proffered herewith.

5. In accordance with Rule 28-106.204(3), Fla. Admin. Code, counsel for the Applicants has attempted to contact counsel for all of the parties to this proceeding. Staff counsel takes no position on the motion. Counsel for all of the intervenors indicated that they do not object to the relief requested provided that they have the opportunity to conduct discovery and cross-examine Mr. Rollins under oath.

WHEREFORE, Florida Municipal Power Agency, JEA, Reedy Creek Improvement District and the City of Tallahassee (collectively, the "Applicants"), for the reasons stated above, respectfully request move to reopen the record of this proceeding for the limited purpose of revising certain evidence and for leave to file supplementary testimony for the purpose of revising certain evidence presented at the hearing in this matter. The Applicants further request that the Commission defer its consideration of the Staff's recommendation, currently scheduled for March 13, 2007, to allow sufficient time for the Staff and Intervenors to review the new information, and request a further evidentiary hearing, if needed, for the limited purpose of examining the revised evidence.

RESPECTFULLY SUBMITTED this 9th day of March, 2007.

HOPPING GREEN & SAMS, P.A.

A large, stylized handwritten signature in black ink, appearing to read "Gary V. Perko", is written over a horizontal line.

Gary V. Perko

gperko@hgslaw.com

Carolyn S. Raepple

Craepple@hgslaw.com

Virginia C. Dailey

vdailey@hgslaw.com

123 South Calhoun Street (32301)

P. O. Box 6526

Tallahassee, Florida 32314

Phone: 850/222-7500; Fax: 850/224-8551

Attorneys for Florida Municipal Power Agency,
JEA, Reedy Creek Improvement District, and the
City of Tallahassee

Hopping Green & Sams

Attorneys and Counselors

March 9, 2007

BY HAND-DELIVERY

Blanca Bayó
Director, Division of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 060635-EU

Dear Ms. Bayó:

On behalf of Florida Municipal Power Agency (FMPA), JEA, Reedy Creek Improvement District (RCID) and City of Tallahassee (collectively, the "Applicants"), I enclose for filing in the above docket the original and fifteen (15) copies of the following:

- Applicants' Motion for Limited Reopening of Record and for Leave to File Supplemental Testimony; and
- Pre-filed Supplemental Direct Testimony of Myron Rollins and Exhibit Nos. ___ (MRR-1S) and ___ (MRR-2S).

In light of the Motion for Limited Reopening of the Record, the Applicants hereby waive any applicable deadlines for Commission action under Rule 25-22.080, Fla. Admin. Code, to provide sufficient time for the reopening of the record and any subsequent proceedings.

The enclosed documents have been furnished to the parties on the attached certificate of service by electronic mail.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning it to me. If you have any questions regarding this filing, please give me a call at 425-2359.

Very truly yours,


Gary V. Perko

cc: Certificate of Service

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Applicants' Motion for Limited Reopening of Record and for Leave to File Supplemental Testimony; and Pre-filed Supplemental Direct Testimony of Myron Rollins and Exhibit Nos. ___ (MRR-1S) and ___ (MRR-2S) in Docket No. 060635-EU have been furnished electronically (*) or U.S. Mail on this 9th day of March, 2007:

Jennifer Brubaker, Esq. *
Katherine Fleming, Esq. *
Legal Division
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Brian P. Armstrong, Esq. *
7025 Lake Basin Road
Tallahassee, FL 32312

E. Leon Jacobs, Jr. *
Williams, Jacobs & Associates, LLC
P.O. Box 1101
Tallahassee, Florida 32302

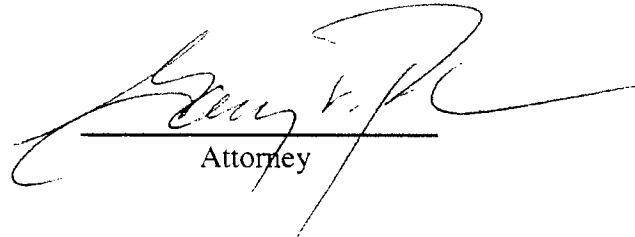
Jeanne Zokovitch Paben *
Brett M. Paben *
WildLaw
1415 Devils Dip
Tallahassee, FL 32308-5140

Patrice L. Simms *
Natural Resources Defense Council
1200 New York Ave., NW, Suite 400
Washington, DC 20005

Suzanne Brownless *
Suzanne Brownless, P.A.
Natural Resources Defense Council
1975 Buford Blvd.
Tallahassee, FL 32308

Valerie Hubbard, Director
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

Buck Oven
Michael P. Halpin
Department of Environmental Protection
2600 Blairstone Road MS 48
Tallahassee, FL 32301



Attorney