

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost	)	DOCKET NO. 900001-EI
Recovery Clause and Generating	)	
Performance Incentive Factor	)	ORDER NO. 23906
	)	
	)	ISSUED: 12-20-90

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY

NOTICE OF PROPOSED AGENCY ACTIONORDER GRANTING MID-COURSE CORRECTION OF FUEL COST RECOVERY FACTOR

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On November 20, 1990, Florida Power & Light Company ("FPL") filed a petition to revise the fuel adjustment factor previously approved for January, February, and March, 1991. FPL alleged that if the fuel adjustment factor is not increased, the utility will experience a fuel cost underrecovery of \$66.8 million, which is approximately 9.4% of its estimated fuel and purchased power costs for the current period. The utility pointed out that residual oil prices increased approximately \$3 per barrel over the prices initially projected, and the net energy for load for October, 1990 was 8.9% higher than projected.

In Order No. 13694, issued in Docket No. 840001-EI, we established a mid-course correction procedure to prevent substantial fluctuations in customer bills resulting from large unanticipated over- or underrecoveries:

When a utility becomes aware that its projected fuel revenues, applicable to a given six-month recovery period, will result in an over- or underrecovery in excess of 10% of its projected fuel costs for the period,

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the utility shall so advise the Commission through a filing promptly made. Failure to comply with this requirement will result in the disallowance of interest on that portion of any underrecovery in excess of 10%.

Order No. 13694 at 6.

The order also requires the utility to include a request for hearing to revise the fuel adjustment factor if in its judgment such revision would not be impractical. While FPL did not request a hearing, it did request adjustment of the factors, effective with meter readings scheduled on or after January 3, 1991 and continuing through March 31. We find that it would not be practical to schedule a hearing on FPL's petition at this time, and instead, will take action in this Proposed Agency Action Order.

The underrecovery projected by FPL does not reach the 10% level referenced in Order No. 13694, but the magnitude of the amount, along with the importance of avoiding accumulation of a large underrecovery, prompted the request for the mid-course correction.

We have reviewed FPL's oil price projections and find them to be reasonable, based on prices reported by Platt's Oilgram for October and November, 1990. We estimate that the unit price of gas will increase similarly. FPL also points to nuclear fuel and coal cost changes as contributing to its projected underrecovery. At the time we approved FPL's present fuel cost recovery factors in August, 1990, we were aware that fuel prices would likely increase due to the Iraqi invasion of Kuwait.

By Order No. 21325, we approved a mid-course correction for this utility in 1989. As reflected in that order, one of the purposes of levelizing fuel cost recovery is to prevent consumer "rate shock", which may be caused by volatile fuel prices. We find that approval of the mid-course correction requested by FPL would similarly help avoid excessive rate shock in that it will lessen the accumulation of a fuel cost underrecovery. We therefore approve the mid-course correction as requested by FPL.

We note that there has been no prudence review of FPL's fuel estimates and expenditures, and we do not necessarily agree or disagree with FPL's figures at this time. If the increase in fuel recovery is not ultimately approved in the February, 1991 fuel adjustment hearing, ratepayers will receive a refund with interest.

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However, if we do not approve this mid-course correction but the adjustment is ultimately approved in February, FPL would be entitled to collect interest from its ratepayers. It is, therefore, in the best interest of FPL's ratepayers to approve the mid-course correction. We also find, as we did in connection with this utility's last mid-course correction, that the magnitude of the projected underrecovery makes it preferable to implement the revised factors on January 3, 1991.

The factors derived for FPL's various rate classes have been reviewed, and we find that they were calculated using the same methods that have been accepted in the past. Attachment "A" to this order shows the levelized, on-peak and off-peak factors for each rate class and compares bills for 1,000 kWh of residential consumption before and after the mid-course correction.

It is therefore

ORDERED by the Florida Public Service Commission that Florida Power & Light Company's Petition for Adjustment to its Fuel Adjustment Factors is hereby granted. It is further

ORDERED that the factors shown in Attachment "A" hereto are hereby approved, beginning with meters read on or after January 3, 1991. It is further

ORDERED that this docket remain open.

By ORDER of the Florida Public Service Commission, this 20th  
 day of DECEMBER, 1990.

\_\_\_\_\_  
 STEVE TRIBBLE, Director  
 Division of Records and Reporting

( S E A L )

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by: Kay Ilegan  
 Chief, Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on January 10, 1991.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

## TOTAL FUEL COST FOR THE PERIOD:

January 1991 - March 1991

DIVISION OF ELECTRIC AND GAS

Note: This schedule reflects a midcourse correction for FPL effective 1/3/91.

DATE: 10/18/90

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COMPANY	PROPOSED January 1991 - March 1991			PRESENT October 1990 - December 1990			DIFFERENCE			LINE LOSS MULTIPLIER
	Levelized	On/Peak	Off/Peak	Levelized	On/Peak	Off/Peak	Levelized	On/Peak	Off/Peak	
Fla. Power & Light *	2.769	2.970	2.690	2.323	2.507	2.252	0.446	0.463	0.438	1.00136
Fla. Power Corp.	2.482	2.783	2.365	1.482	2.783	2.365	0.000	0.000	0.000	1.00270
Tampa Electric	2.579	2.814	2.466	2.579	2.814	2.466	0.000	0.000	0.000	1.01470
Gulf Power	2.167	2.281	2.123	2.167	2.281	2.123	0.000	0.000	0.000	1.01228
<u>Fla. Public</u>										
Marianna (1)	4.931	0.000	0.000	4.931	0.000	0.000	0.000	0.000	0.000	1.01260
Fernandina (1)(5)	5.839	0.000	0.000	5.839	0.000	0.000	0.000	0.000	0.000	1.00000

\* Reflects midcourse correction effective 1/3/91.

## COST FOR 1,000 KWH RESIDENTIAL SERVICE (4)

PRESENT: October 1990 - December 1990

	Fla. Power & Light	Fla. Power Corp.	Tampa Electric	Gulf Power	Fla. Public Marianna	Fernandina
Base	45.70 (7)	44.33	30.34	42.87 (6)	17.22	19.20
Fuel (2)	23.23	24.89	26.17	21.94	49.93	58.39
Oil Backout	5.69	0.00	1.54	0.00	0.00	0.00
Energy Conservation	0.84	2.31	1.07	0.13	0.17	0.07
<b>Total</b>	<b>\$75.46</b>	<b>\$71.53</b>	<b>\$79.12</b>	<b>\$64.94</b>	<b>\$67.32</b>	<b>\$77.66</b>

PROPOSED: January 1991 - March 1991

	Fla. Power & Light	Fla. Power Corp.	Tampa Electric	Gulf Power	Fla. Public Marianna	Fernandina
Base	45.70 (7)	44.33	30.34	42.87 (6)	17.22	19.20
Fuel (2)	27.73 (3)	24.89	26.17	21.94	49.93	58.39
Oil Backout	5.69	0.00	1.54	0.00	0.00	0.00
Energy Conservation	0.84	2.31	1.07	0.13	0.17	0.07
<b>Total</b>	<b>\$79.96</b>	<b>\$71.53</b>	<b>\$79.12</b>	<b>\$64.94</b>	<b>\$67.32</b>	<b>\$77.66</b>

## DIFFERENCE

	Fla. Power & Light	Fla. Power Corp.	Tampa Electric	Gulf Power	Fla. Public Marianna	Fernandina
Base	0.00	0.00	0.00	0.00	0.00	0.00
Fuel (2)	4.50	0.00	0.00	0.00	0.00	0.00
Oil Backout	0.00	0.00	0.00	0.00	0.00	0.00
Energy Conservation	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>4.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

- (1) Fuel costs include purchased power demand costs of 2.025 for Marianna and 0.872 cents/KWH for Fernandina allocated to the residential class.  
 (2) Adjusted for line loss. (3) Reflects a midcourse correction effective 1/3/91. (4) Rates do not include the .5% increase in gross receipts tax effective 7/1/90. (5) All classes except GSELD. (6) Gulf's base rates include rate increase effective 8/13/90, Docket No. 891345-EI.  
 (7) Includes 1989 tax refund reduction effective October 1990 through March 1991, Docket No. 900478-EI.

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PUE ADJUSTMENT CENTS PER KWH BASED ON LINE LOSSES BY RATE GROUP  
Note: This schedule reflects a midcourse correction for PUE effective 1/2/91.  
FOR THE PERIOD: January 1991 - March 1991

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COMPANY	GROUP	RATE SCHEDULES	WITHOUT LINE LOSS MULTIPLIER			WITH LINE LOSS MULTIPLIER			
			Levelled	Off/Real	Off/Real	Levelled	Off/Real	Off/Real	
PVAL	A	RS-1,OS-1,SL-2	2,769	2,970	2,490	1,00136	2,773	2,974	2,664
	A-1	SL-1,OL-1	2,735	0.000	0.000	1,00136	2,739	0.000	0.000
	B	OSD-1	2,769	2,970	2,690	1,00048	2,773	2,974	2,664
	C	OSLD-1,CS-1	2,769	2,970	2,690	1,00048	2,770	2,971	2,692
	D	OSLD-2,CS-1,OS-2,MET	2,769	2,970	2,690	0.99475	2,754	2,954	2,676
	E	OSLD-3,CS-1	2,769	2,970	2,690	0.97133	2,690	2,483	2,414
F	1ST-1,1ST-1		2,970	2,690	0.99805		2,964	2,685	
PNC	A	Distribution Secondary Delivery	2,482	2,783	2,363	1,00270	2,489	2,791	2,371
	A-1	OL-1,SL-1	2,443	0.000	0.000	1,00270	2,440	0.000	0.000
	B	Distribution Primary Delivery	2,482	2,783	2,363	0.99150	2,462	2,760	2,346
C	Transmission Delivery	2,482	2,783	2,363	0.98150	2,456	2,752	2,321	
TRCO	A	RS,OS,TS	2,579	2,814	2,466	1,01470	2,617	2,815	2,502
	A-1	SL-1,2,OL-1,2	2,518	0.000	0.000	1,01470	2,553	0.000	0.000
	B	OSD,OSLD	2,579	2,814	2,466	0.99750	2,573	2,807	2,460
C	IS-1,IS-1	2,579	2,814	2,466	0.96460	2,498	2,756	2,389	
OULP	A	RS,OS,OSD,OS-1	2,167	2,281	2,122	1,01228	2,194	2,309	2,149
	B	LP	2,167	2,281	2,122	0.98106	2,126	2,228	2,083
	C	PX	2,167	2,281	2,122	0.96250	2,085	2,195	2,043
	D	OS-1,OS-2	2,158	0.000	0.000	1,01228	2,185	0.000	0.000
Eupandia	A	RS	5,839	0.000	0.000	1,00000	5,839	0.000	0.000
	B	OS	5,879	0.000	0.000	1,00000	5,879	0.000	0.000
	C	OSD	5,565	0.000	0.000	1,00000	5,565	0.000	0.000
	D	OL,OL-1,SL-2,SL-3,CSL	5,214	0.000	0.000	1,00000	5,214	0.000	0.000
	E	OSLD				(1)	4,810		
Mardian	A	RST,RS	4,931	0.000	0.000	1,01260	4,993	0.000	0.000
	B	OS	4,874	0.000	0.000	0.99630	4,637	0.000	0.000
	C	OSD	4,250	0.000	0.000	0.99630	4,234	0.000	0.000
	D	OL,OL-1	2,905	0.000	0.000	1,01260	2,942	0.000	0.000
	E	SL-1,SL-2,SL-3	2,906	0.000	0.000	0.98810	2,871	0.000	0.000

(1) Group line losses reflected on schedule EI  
(2) Informational Purpose Only—OSLD claim is billed actual fuel cost

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FUEL AND PURCHASED POWER COST RECOVERY CLAUSE CALCULATION  
ESTIMATED FOR THE PERIOD: January 1991 - March 1991

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DATE: 12/18/90  
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CLASSIFICATION	FLORIDA POWER & LIGHT COMPANY		
	Classification Associated \$	Classification Associated KWH	Classification Associated cents/KWH
1. Fuel Cost of System Net Generation (E3)	225,418,600	9,875,600,000	2.28258
2. Spent NUC Fuel Disposal Cost (E2)	3,172,400	3,172,400,000 (a)	0.10000
3. Coal Car Investment	125,696	0	0.00000
4. Adjustments to Fuel Cost	5,816,000	0	0.00000
5. TOTAL COST OF GENERATED POWER	234,532,696	13,048,000,000	1.79746
6. Fuel Cost of Purchased Power - Firm (E8)	108,580,000	5,793,600,000	1.87414
7. Energy Cost of Sch. C, X Economy Purchases (Broker) (E9)	12,740,000	582,700,000	2.18637
8. Energy Cost of Economy Purchases (Non-Broker) (E9)	1,208,400	56,300,000	2.14636
9. Energy Cost of Sch. E Purchases (E9)	0	0	0.00000
10. Capacity Cost of Sch. E Economy Purchases (E2)	0	0	0.00000
11. Payments to Qualifying Facilities (E8A)	9,935,000	401,700,000	2.47324
12. TOTAL COST OF PURCHASED POWER	132,463,400	6,834,300,000	1.93821
13. TOTAL AVAILABLE KWH		19,882,300,000	
14. Fuel Cost of Economy Sales (E7)	(1,163,700)	(40,000,000)	2.90925
15. Gain on Economy Sales - BOX (E7A)	(335,200)	(40,000,000) (a)	0.83800
16. Fuel Cost of Unit Power Sales (SL2 Partpts) (E7)	(889,500)	(124,900,000)	0.71217
17. Fuel Cost of Other Power Sales (E7)	(1,122,600)	(40,100,000)	2.79950
18. TOTAL FUEL COST AND GAINS OF POWER SALES	(3,511,000)	(205,000,000)	1.71268
19. Net Inadvertent Interchange (E4)	0	0	0.00000
20. TOTAL FUEL AND NET POWER TRANSACTIONS	363,485,096	19,677,300,000	1.84723
21. Net Unbilled (E4)	24,695,237 (a)	1,336,879,000	0.16417
22. Company Use (E4)	1,845,660 (a)	99,915,000	0.01227
23. T & D Losses (E4)	45,095,553 (a)	2,441,252,000	0.29979
24. Adjusted System KWH Sales	363,485,096	15,042,349,000	2.41641
25. Wholesale KWH Sales	4,452,874	184,276,000	2.41642
26. Jurisdictional KWH Sales	359,032,222	14,858,073,000	2.41641
27. Jurisdictional KWH Sales Adjusted for Line Loss - 1.00035	359,157,883	14,858,073,000	2.41726
28. True-up * (derived in Attachment C)	11,223,969	14,858,073,000	0.07554
28a Final true-up Apr. 90-Sep. 90 + Est. Oct. 90-Dec. 90	33,503,218	14,858,073,000	0.22549
29. Total Jurisdictional Fuel Cost	370,381,852	14,858,073,000	2.71829
30. Revenue Tax Factor			1.01652
31. Fuel Cost Adjusted for Taxes			2.76320
32. GPIF*	848,685	14,858,073,000	0.00570
33. Total fuel cost including GPIF	371,230,537	14,858,073,000	2.76890
34. Total Fuel Cost Factor Rounded to the Nearest .001 cents per KWH (used in attachment B, pages 1 and 2 of 9)			2.769

\*Based on Jurisdictional Sales (a) included for informational purposes only.  
Effective dates for billing purposes: 1/3/91-3/31/91.

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of amended )	DOCKET NO	900686-EQ
cogeneration agreement between Florida )		
Power & Light Company and AES Cedar Bay, )	ORDER NO.	23907
Inc. )		
_____ )	ISSUED:	12-20-90

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 FRANK S. MESSERSMITH

NOTICE OF PROPOSED AGENCY ACTION

ORDER APPROVING SECOND AMENDED  
COGENERATION AGREEMENT BETWEEN FLORIDA POWER  
& LIGHT COMPANY AND AES CEDAR BAY, INC.

BY THE COMMISSION:

NOTICE is hereby given by the Florida Power Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

CASE BACKGROUND

In accordance with Commission rules, AES Cedar Bay, Inc. (AES) and Florida Power & Light Company (FPL) negotiated a contract for the purchase of cogenerated firm energy and capacity dated May 6, 1988. Pursuant to Order No. 21468, issued June 28, 1989, the Commission approved this agreement as amended on November 9, 1988.

On August 10, 1990, Florida Power & Light Company (FPL) filed a petition for approval of Amendment No. 2 to the Agreement for the Purchase of Firm Capacity and Energy between AES Cedar Bay, Inc. and Florida Power & Light Company. FPL contends that this second revision is necessary in order to allow FPL to economically dispatch the AES Cedar Bay facility. In its petition, FPL requests that the Commission make the findings that: (1) the Amended Agreement is reasonable, prudent and in the best interest of FPL's ratepayers; (2) the Amended Agreement contains adequate security

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based on AES Cedar Bay's financial stability; (3) no costs in excess of full avoided costs are likely to be incurred by FPL over the initial term of the Amended Agreement; (4) all payments for energy and capacity made by FPL pursuant to the Amended Agreement may be recovered from FPL's customers; (5) FPL shall not be required to resell the energy and capacity purchased pursuant to the Amended Agreement to another electric utility as long as their retention is the best interest of FPL's ratepayers; and, (6) the Amended Agreement is consistent with the "determination of need" granted by the Commission by Order No. 21491 issued on June 30, 1989.

On October 23, 1990 the Commission issued Order No. 23651 - Notice of Proposed Agency Action - Order Approving Second Amended Cogeneration Agreement Between Florida Power and Light Company and AES Cedar Bay, Inc. Florida Power and Light Company timely filed a Petition on Proposed Agency Action regarding that order. The petition disputed the correctness of certain statements in the order; to wit, the standard of comparison for negotiated contracts for the sale of firm capacity and energy. The petition did not request a hearing, but sought to preserve the right to a hearing. The petition did seek the issuance of an amended order with different language concerning the standard of comparison.

#### DISCUSSION

The Commission's current rules on the approval of negotiated contracts require the comparison of the contract to the cumulative present value of deferral of the statewide avoided unit. This comparison was provided by AES and the Amended Agreement is shown to be below the cumulative net present value of deferral of the statewide avoided unit including a 20% risk factor. As part of its petition, FPL provided a comparison of the Original and the Amended Agreement to show that the Amended Agreement is projected to be slightly below the Original Agreement on a cumulative present worth basis. The figures provided by AES and FPL coincide and are shown on Attachment A. We find that the amendments to the agreement are virtually revenue neutral and are less than the value of deferral of the applicable statewide avoided unit.

The Original Amendment stated that the initial committed capacity of the facility will be "at least 180 MW and not greater than 250 MW." This agreement was considered in concert with the need determination proceeding for this project. The Amended

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Agreement contains identical language. At the time of the need determination proceeding, it was anticipated that the steam requirements of Seminole Kraft would limit the electrical output of the AES facility to approximately 225 MW. A redesign in the Seminole Kraft Mill has reduced its steam requirements and allowed for a subsequent increase in the electrical output of the AES Facility to approximately 250 MW. Since the language in the Amended Agreement allows for a range of committed capacity, just like the original agreement, we find that the Amended Agreement is consistent with the determination of need granted by this Commission pursuant to Order No. 21491.

In Docket No. 881570-EQ (the original contract petition) we issued Order No. 21468 approving the contract and finding it appropriate for cost recovery in accordance with Rule 25-17.083(2), Florida Administrative Code. That rule defines three criteria to be considered in making a determination of prudence for cost recovery purposes. These criteria may be summarized as:

- (a) The purchase can reasonably be expected to result in the economic deferral or avoidance of capacity construction from a statewide perspective;
- (b) The cumulative present worth of the payments for firm energy and capacity are no greater than the cumulative present value of the deferral of the statewide avoided unit; and
- (c) The agreement contains adequate security provisions to protect ratepayers in the event AES Cedar Bay fails to perform pursuant to the terms of the agreement.

As previously stated, this Second Amended Agreement provides for payments for energy and capacity which have cumulative net present value of less than the cumulative present value of deferral of the statewide avoided unit. The Second Amended Agreement appears to contain greater security provisions for FPL's ratepayers than the original agreement. The record is devoid of evidence

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suggesting any basis for altering our previous finding that "the purchase...can reasonably be expected to result in the economic deferral or avoidance of additional capacity construction by Florida utilities from a statewide perspective." We therefore find that this amended agreement meets the criteria of Rule 25-17.083(2) and that payments for energy and capacity made by FPL pursuant to the Amended Agreement may be recovered from FPL's customers.

Since the agreement (1) contains adequate security for FPL's ratepayers; (2) has a cumulative net present value of less than the cumulative present value of deferral of the statewide avoided unit, (3) is consistent with the determination of need granted by the Commission in Order No. 21491, we find that the Amended Agreement is reasonable, prudent and in the best interest of FPL's ratepayers.

A finding that FPL should not be required to resell the capacity and energy is not necessary or appropriate to make a determination concerning the merits of this contract amendment. As stated in Order No. 22424 "the question of whether FPL is required to resell, and if so, at what price, is best addressed by this body when such a transaction takes place or a substantially affected person alleges that such a transaction should have taken place."

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the petition filed by Florida Power & Light Company for the approval of the Amended Cogeneration Agreement with AES Cedar Bay, Inc. should be and is hereby granted. It is further

ORDERED that the Petition on Proposed Agency Action filed by Florida Power and Light Company is in this docket hereby dismissed. It is further

ORDERED that if no substantially affected person timely files a protest to this Notice of Proposed Agency Action, this docket shall be closed. It is further

ORDERED that this Order shall become final unless an appropriate petition for formal proceeding is received by the Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the

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date indicated in the Notice of Further Proceedings or Judicial Review.

By ORDER of the Florida Public Service Commission, this  
20th day of DECEMBER, 1990.

STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

RVE:bmi  
900686.bmi

by: Kay Flynn  
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by

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Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on January 10, 1991.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

SUMMARY OF PAYMENTS PURSUANT TO  
FPL/AES AMENDED CONTRACT (\$ 000)

YEAR	1995 STANDARD OFFER CONTRACT	ORIGINAL AGREEMENT	AMENDED AGREEMENT
1990	\$0	\$0	\$0
1991	\$0	\$0	\$0
1992	\$0	\$0	\$0
1993	\$75,936	\$65,831	\$65,720
1994	\$81,947	\$68,701	\$68,584
1995	\$74,213	\$71,776	\$71,652
1996	\$78,770	\$75,038	\$74,906
1997	\$83,655	\$78,353	\$78,214
1998	\$88,757	\$81,873	\$81,726
1999	\$94,228	\$85,465	\$85,310
2000	\$100,054	\$89,511	\$89,347
2001	\$106,180	\$93,094	\$92,922
2002	\$112,715	\$96,498	\$96,320
2003	\$119,921	\$101,044	\$100,854
2004	\$127,316	\$105,660	\$105,460
2005	\$135,081	\$110,500	\$110,288
2006	\$143,376	\$115,696	\$115,471
2007	\$152,201	\$121,249	\$121,009
2008	\$161,588	\$126,890	\$126,637
2009	\$171,513	\$132,888	\$132,620
2010	\$182,106	\$139,395	\$139,109
2011	\$193,235	\$146,124	\$145,820
2012	\$205,183	\$153,094	\$152,772
2013	\$217,788	\$143,357	\$143,015
2014	\$231,168	\$150,720	\$150,355
2015	\$245,370	\$159,642	\$159,249
2016	\$260,445	\$167,468	\$167,051
2017	\$276,447	\$176,586	\$176,140
NPV (1990)	\$805,811	\$670,926	\$669,648