

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received the petition for declaratory statement of Florida Power Corporation. The petitioner inquires as to whether it is required, pursuant to Commission Order No. 24734, to:

ORIGINAL

- A) Pay Lake Cogen, Ltd. (Lake) for energy based upon avoided energy costs, strictly as reflected in the Contract;
- B) Use only the avoided unit's contractually specified characteristics in §9.1.2, and not other or additional unspecified characteristics that might have been applicable had the avoided unit actually been built to assess its operational status for the purpose of determining when Lake is entitled to receive firm or as available energy payments;
- C) Use the actual charge out price of coal to Florida Power's Crystal River Units 1 and 2, resulting from Florida Power's prevailing mix of transportation, rather than the mix of transportation in effect at the time the Contract was executed or some other mix, to compute the level of firm energy payments to Lake. Docket No. 980509-EQ.

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