

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 16369-01

DISTRIBUTION: JJJ

DATE: November 13, 2000

TO: Mary Bane, Deputy Executive Director

FROM: Joseph Jenkins, Director, Division of Safety and Electric Reliability

RE: Docket No. 000442-EI - Staff Access to Confidential Materials

In addition to the staff members assigned on the CASR, the following staff members need access to the confidential materials filed in Docket No. 000442-EI, Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company. Access to these materials will assist in proper management review of the discovery process in this docket.

Tom Ballinger

Roland Floyd

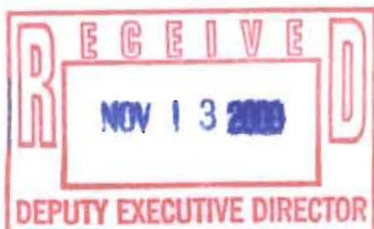
Joe Jenkins

Bob Trapp

JH:kb

cc: Tom Ballinger
Roland Floyd
Joe Jenkins
Bob Trapp
Marguerite Lockard

OK
MAB
11/14/00



State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 16369-01

DISTRIBUTION:

DATE: October 25, 2000

TO: Division of Legal Services (Elias, Isaac)

FROM: Division of Safety and Electric Reliability (Harlow)

RE: Calpine Construction Finance Company's Request for Confidentiality (DN 13157-00)

Calpine Construction Finance Company (Calpine), with the agreement of Seminole Electric Cooperative (Seminole), has filed a Request for Specified Confidential Treatment of part of document No. 13157-00. This document is a Memorandum of Understanding between Calpine and Seminole (MOU). The MOU was filed in Docket No. 000442-EI, Calpine's Petition for determination of need for the Osprey Energy Center. Calpine asserts that part of DN 13157-00 contains proprietary information which, if disclosed, would impair Calpine's and Seminole's competitive interests and ability to negotiate similar terms in future contract negotiations.

Attached is a copy of the redacted pages from DN 13157-00. Also attached is a table containing Calpine's reason for requesting confidentiality for these pages, along with staff's recommendation for each request. Staff concurs, in part, with Calpine's request. Staff recommends that the following text from DN 13157-00 be granted confidential status and remain confidential for a period of eighteen months from the date of the request in accord with Section 366.093(4), Florida Statutes.

- Page 3, lines 5 - 7
- Page 3, lines 12 - 13
- Page 3, lines 25 - 27
- Page 4, lines 16 - 19
- Page 4, the numbers on lines 23 and 26
- Pages 5 - 8; line 15 on page 5, through line 19 on page 8
- Pages 11 - 12; line 18 on page 11, through line 18 on page 12

Staff recommends that the remainder of Calpine's request be denied. Specific reasons for denying Calpine's request are included in the attached table. However, in general, staff believes that this information is not specific enough in nature to impair the Parties's competitive interests. Also, as can be seen from the Table, Calpine provided no specific reasons why each section of text should be considered confidential.

Attachments

cc: Tom Ballinger, Division of Safety and Electric Reliability
Blanca S. Bayo, Division of Records and Reporting

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
2	4	The redacted information represents a negotiated term of the Parties' agreement to proceed toward the definitive PPA, which term was the subject of sensitive negotiations and the disclosure of which would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contract negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on the date by which negotiations must be completed is not specific enough to show how disclosure would cause harm to Calpine.
2	16-18	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to power delivery and pricing under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Similar information regarding the point of interconnection was provided in Calpine's exhibits to the petition for need determination. This information is publicly available. Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.
2	21-25	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to delivery of power under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> This item is the definition of "commercial operation date" which will be used in the purchased power agreement. The definition is general in nature; Calpine's reason for requesting confidentiality on this definition is not specific enough to show how disclosure would cause harm to Calpine.
2	26-36	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to delivery of power under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> This item is the definition of "commercial operation tests" which will be used in the purchased power agreement. The definition is general in nature; Calpine's reason for requesting confidentiality on this definition is not specific enough to show how disclosure would cause harm to Calpine.

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
3	5-7	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain performance obligations under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	Approve Calpine's request. This text may reveal information concerning pricing and is specific enough in nature to warrant confidentiality.
3	8-27	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain performance rights and obligations under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Partially deny Calpine's request.</u> This item is not specific enough in nature to impact competitive interests. Calpine's reason for requesting confidentiality on the entire text is not specific enough to show how disclosure would cause harm to Calpine. However, staff agrees that lines 12-13 and lines 25-27 may impact competitive interests and should not be disclosed.
3-4	28, p.3 through 19, p.4	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain performance rights and obligations under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Partially deny Calpine's request.</u> This item is not specific enough in nature to impact competitive interests. Calpine's reason for requesting confidentiality on the entire text is not specific enough to show how disclosure would cause harm to Calpine. However, staff agrees that lines 16-19 on page 4 may impact competitive interests and should not be disclosed.

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
4	23-24	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Partially deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine. However, staff agrees that the number on line 23 may impact competitive interests and should not be disclosed.
4	26-33	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which was the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Partially deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine. Most of the text is general in nature. However, staff agrees that the number on line 26 may impact competitive interests and should not be disclosed.
4-5	40, p.4 through 13, p.13	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this text regarding exclusivity of the purchased power agreement is not specific enough to show how disclosure would cause harm to Calpine.
5-8	15, p. 5 through 19, p. 8	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to pricing under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	Approve Calpine's request. Staff agrees that the specific pricing data contained in this section is competitively sensitive in nature, that is, disclosure could impair future negotiations.

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
8-10	21, p.8 through 25, p. 10	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this text regarding scheduling is not specific enough to show how disclosure would cause harm to Calpine.
10	29-31	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.
10-11	33, p. 10 through 11, p. 11	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> The text regarding scheduled outages is too generic in nature to impact the Parties' competitive interests. Calpine's reason for requesting confidentiality on this text regarding scheduled outages is not specific enough to show how disclosure would cause harm to Calpine.
11	12-15	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> The text regarding unscheduled outages is too generic in nature to impact the Parties' competitive interests. Calpine's reason for requesting confidentiality on this text regarding unscheduled outages is not specific enough to show how disclosure would cause harm to Calpine.

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
11-12	18, p. 11 through 18, p. 12	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	Approve Calpine's request.
12	20-30	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this text regarding the failure of the buyer to receive energy is not specific enough to show how disclosure would cause harm to Calpine.
12-13	31, p. 12 through 12, p. 13	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.
13	13-33	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
13-15	34, p. 13 through 10, p. 15	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.
15	14-17	Calpine redacted this information, but did not provide a reason for seeking confidential treatment.	<u>Deny Calpine's request.</u> This information is general in nature. Also, Calpine did not provide a reason for seeking confidential treatment.
15-16	14, p. 15 through 38, p. 16	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations relating to dispute resolution under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> This text related to dispute resolution is too generic in nature to impact the Parties' competitive interests. Calpine's reason for requesting confidentiality on this text is not specific enough to show how disclosure would cause harm to Calpine.
17-18	7, p. 17 through 22, p. 18	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations relating to Force Majeure provisions to be incorporated in the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Force Majeure requirements such as these are common practice in purchased power agreements. In addition, Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
18	24-31	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations relating to dispute resolution under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> This item describes the applicable law governing the purchased power agreement and the dispute resolution process. This information is commonly provided in purchased power agreements and is not specific enough to impair competitive interests. Calpine's reason for requesting confidentiality on the applicable law section is not specific enough to show how disclosure would cause harm to Calpine.
18	32-34	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.
18-19	35, p. 18 through 7, p. 19	This information was inadvertently redacted. Calpine provided a memo on October 18, which retracts the request for confidentiality on this section.	Calpine has retracted its request for confidentiality on this section. (Letter from Calpine, dated October 18, 2000. Letter is attached and revised redacted pages 18 and 19 of the MOU are used in redacted MOU attachment.)
19	9-13	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> This text regarding ancillary services is too general in nature to warrant confidentiality. Calpine's reason for requesting confidentiality on this text is not specific enough to show how disclosure would cause harm to Calpine.

Page	Line(s)	Calpine's Reason for Seeking Confidential Treatment	Staff Recommendation
21-23	2, p.21 through 22, p.23	The redacted information represents a negotiated, competitively sensitive term of the Parties' agreement relating to certain rights and obligations under the PPA and which were the subject of sensitive negotiations. The disclosure of this information would impair both Parties' competitive interests by informing their actual and potential competitors, vendors, and customers of their agreement on this subject. This, in turn, would impair both Parties' ability to negotiate similar terms in future contact negotiations.	<u>Deny Calpine's request.</u> Calpine's reason for requesting confidentiality on this item is not specific enough to show how disclosure would cause harm to Calpine.

EXHIBIT B

REDACTED CALPINE-SEMINOLE MOU

MEMORANDUM OF UNDERSTANDING REGARDING THE PURCHASE AND
SALE OF ELECTRIC CAPACITY AND ENERGY
BETWEEN CALPINE ENERGY SERVICES, L.P. AND
SEMINOLE ELECTRIC COOPERATIVE, INC.

INTRODUCTION

This memorandum of understanding ("MOU") provides the framework within which Seminole Electric Cooperative, Inc. ("Buyer"), and Calpine Energy Services, L.P. ("Seller") collectively referred to herein as "the Parties," have agreed to negotiate toward a definitive agreement for the purchase and sale of electric capacity and energy.

RECITALS

WHEREAS, Buyer is an cooperative corporation organized and existing pursuant to the laws of the State of Florida; and

WHEREAS, Buyer provides wholesale electric capacity and energy to its distribution cooperative members' electric utility systems, which in turn provide that electric capacity and energy to their retail member/consumers within Florida; and

WHEREAS, Seller is a Delaware limited partnership engaged in the business of marketing wholesale electric capacity and energy in the United States; and

WHEREAS, Calpine Construction Finance Company, L.P. ("CCFC"), an affiliate of Seller, is presently developing the Osprey Energy Center, a natural gas fired, combined cycle power plant in Auburndale, Polk County (the "Plant") which through a contractual arrangement Seller provides fuel to and receives all of the electric capacity and energy from the Plant for sale at wholesale in Florida; and

WHEREAS, Buyer needs additional firm generating capacity and energy resources to meet the needs of its distribution cooperative members' electric utility systems; and

WHEREAS, the intent of Buyer and Seller is to establish a definitive agreement (or agreements) ("Power Purchase Agreement" or "PPA") pursuant to which the full output of the Plant will be committed, as provided herein, to Buyer for the benefit of Buyer, Buyer's member systems, and the retail member-customers of Buyer's member systems, and

WHEREAS, Buyer and Seller have entered into discussions regarding the sale and purchase of firm electric capacity and energy from the Plant, which discussions have led the Parties to agree to certain fundamental commercial principles and to pursue negotiations toward a PPA that would incorporate such principles for the purchase by Buyer and the sale by Seller, on a firm basis, Plant electric capacity and energy;

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NOW, THEREFORE, in view of the foregoing premises and in consideration of the mutual benefits to be gained by Buyer and Seller, the Parties have executed this MOU evidencing those agreed upon fundamental commercial principles and their intent to negotiate in good faith, _____, a PPA which incorporates such fundamental commercial principles for the purchase by Buyer and the sale by Seller of firm electric capacity and energy from the Plant in substantial accordance with the prices, terms, and conditions set forth herein.

FUNDAMENTAL AGREED UPON PRINCIPLES

Section 1. Duration

The PPA shall become effective upon signing by both Parties. Unless terminated early pursuant to the terms thereof, the PPA shall continue in effect through May 22, 2020 (the "Term").

Section 2. Scope

Subsection 2.1 Firm Capacity

Beginning with the later of the Commercial Operation Date of the Plant, as defined below, and June 1, 2004 ("Commencement Date"), for the remainder of the Term, Seller shall provide and Buyer shall purchase 350 MW of firm electric capacity from the Plant

_____ adjusted for seasonal variability
per the monthly firm capacity schedule attached hereto as Attachment 1. Such amounts identified above shall be defined as "Firm Capacity."

"Commercial Operation Date"

"Commercial Operation Tests" means:

Subsection 2.2 Energy.

For the period between the Commencement Date and the end of the Term, Seller shall be obligated to sell and deliver at the Delivery Point, and Buyer shall be obligated to purchase and receive, an amount of electric energy for each hour scheduled by Buyer up to the number of MWh that corresponds to the MW of Firm Capacity specified in Subsection 2.1.

("Energy").

Subsection 2.3

Subsection 2.4

Subsection 2.5 Reserved Firm Capacity.

In addition to the Firm Capacity specified in Subsection 2.1 above, for the period between the Commercial Operation Date and the end of the Term, Seller shall provide Buyer, on a reserved firm capacity option basis, the right to call upon, .
, up to the difference between (i) Buyer's then committed Firm Capacity amount and (ii) the then-full MW capability of the Plant (said difference hereinafter being defined as "Reserved Firm Capacity");

If Buyer calls upon all or a portion of the Reserved Firm Capacity as provided for above, such called upon portion of Reserved Firm Capacity shall be considered Firm Capacity.

Subsection 2.6 Exclusivity.

For the period between the Commencement Date and the end of the Term, the Plant shall be dedicated to providing Firm Capacity and scheduled Energy as described herein to Buyer, except during those periods when Seller is performing testing and operational maintenance as provided herein.

Section 3. Price

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Section 4. Scheduling

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Section 5. Outages

Subsection 5.1 Outages

An "Outage" of the Plant shall mean the unavailability of the Plant, either in whole or in part, caused by either a Scheduled Outage or an Unscheduled Outage.

Subsection 5.2 Scheduled Outages

Subsection 5.3 Unscheduled Outages

Section 6. Failure to Provide or Receive Energy

Subsection 6.1 Failure of Seller to Provide Energy.

Subsection 6.2 Failure of Buyer to Receive Energy.

Subsection 6.3

Section 7.

Section 8.

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Section 9. Dispute Resolution

The dispute resolution procedures set forth in this Section 9 shall govern the resolution of any dispute, controversy or claim arising out of, under, or relating to the PPA (a "Dispute") unless mutually agreed to by the Parties.

Section 10. Confidentiality of Shared Information

The existing confidentiality agreement between Buyer and Seller shall remain in full force and effect while the Parties negotiate the PPA consistent with this agreement.

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Section 11. Buyer's Support for Need Determination of the Plant

Buyer shall provide such support for the petition for determination of need for Buyer's Plant as the Parties mutually agree is necessary to facilitate and expedite the permitting and construction of the Plant. If and when the PPA is executed by the Parties, Buyer's support shall include, if deemed necessary and appropriate, becoming a co-applicant for the requisite determination of need for the Plant.

Section 12. Force Majeure

Section 13 Applicable Law

Section 14

Section 15 Reopener

The Parties will engage in good faith negotiations concerning the terms and conditions under which the PPA will continue beyond May 31, 2009 ("Continuation"). If the Continuation is not executed by July 31, 2005, either Party will be free to terminate the agreement for its convenience upon sixty (60) days notice. Such termination will be based upon the terminating

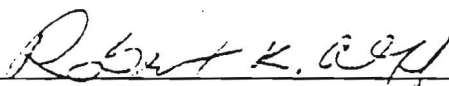
Party's sole judgment. If either Party terminates the PPA for its convenience pursuant to this Section, then (i) the early termination date shall be the date specified by the terminating Party in its written notice to the other Party, (ii) no termination charges shall apply, (iii) and any further rights and obligations between the Parties with respect to the PPA other than those that expressly survive shall terminate. The Parties agree that, unless otherwise agreed to by the Parties, Continuations to the PPA term shall be in sixty (60) month increments and that similar reopener provisions to that contained herein shall be part of any such PPA Continuation.

Section 16 Ancillary Services

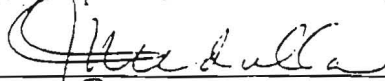
EXECUTION

By the signatures of their authorized representatives below, Buyer and Seller commit to negotiate in good faith a PPA, which, subject to approval of their respective board of directors and the Rural Utilities Service, incorporates the agreed upon fundamental commercial principles and mutually agreed upon general terms and conditions which are consistent with other power purchase agreements. This MOU may be executed in any number of counterparts, such counterparts may be transmitted by either Party to the other Party by facsimile transmission, and each executed counterpart or facsimile transmission thereof shall have the same force and effect as an original instrument.

CALPINE ENERGY SERVICES L.P.
a Delaware limited partnership

By: 
Name: Bob Alff
Title: Senior Vice President

SEMINOLE ELECTRIC COOPERATIVE, INC.
a Florida corporation

By: 
Name: R. J. Miodulla
Title: Exec V.P. & G.M.

ATTACHMENT 1

MONTHLY FIRM CAPACITY SCHEDULE

Month	Capacity
January	360
February	360
March	354
April	350
May	346
June	341
July	340
August	340
September	342
October	347
November	355
December	360

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ATTACHMENT 2

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LANDERS & PARSONS, P.A.
ATTORNEYS AT LAW

DAVID S. DEE
DIANE K. KIESLING
JOSEPH W. LANDERS, JR.
JOHN T. LAVIA, III
FRED A. MCCORMACK
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October 18, 2000

VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, FL 32399-0850

In re: Substitution of Pages in Calpine-Seminole MOU
Docket No. 000442-EI

Dear Ms. Bayo:

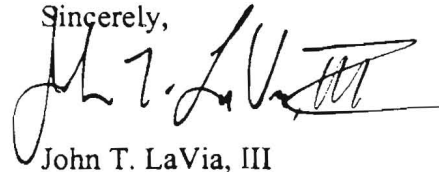
On October 17, 2000, we filed in PSC Docket No. 000442-EI on behalf of our client, Calpine Construction Finance Company, L.P. ("Calpine"), a request for specified confidential treatment of a Memorandum of Understanding between Calpine and Seminole Electric Cooperative, Inc. (the Calpine-Seminole MOU), 15 redacted copies of the Calpine-Seminole MOU, and one unredacted, confidential copy of the Calpine-Seminole MOU.

In the redacted copies of the Calpine-Seminole MOU we inadvertently redacted Section 15, on pages 18 and 19. To correct this oversight, we are enclosing 15 copies of revised pages 18 and 19 which include Section 15 in its entirety. Please substitute the attached pages 18 and 19 for the original pages 18 and 19 in the redacted copies of the Calpine-Seminole MOU. We will provide substitute pages 18 and 19 to all parties to this proceeding.

If you or your staff have any questions, please feel free to call. Thank you for your assistance.

AMP _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
LEG _____
OPC _____
FAI _____
RGO _____
SEC _____
SER _____
OTH _____

Sincerely,



John T. LaVia, III

Enclosures **RECEIVED & FILED**

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

13276 OCT 18 8

FPSC-RECORDS-REPORTING

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail, on this 18th day of October, 2000, to the following:

Robert V. Elias, Esq.
Rachel N. Isaac, Esq.
Division of Legal Services
Florida Public Service Comm.
2540 Shumard Oak Boulevard
Gunter Building
Tallahassee, FL 32399-0850

Debra Swim, Esq.
LEAF
1114 Thomasville Road
Suite E
Tallahassee, FL 32303

Matthew M. Childs, Esq.
Charles A. Guyton
Steel Hector & Davis, LLP
215 South Monroe Street
Suite 601
Tallahassee, FL 32301
(Florida Power & Light Co.)

William G. Walker, III
Vice President
Regulatory Affairs
Florida Power & Light Co.
9250 West Flagler Street
Miami, FL 33174
(Florida Power & Light Co.)

Gary L. Sasso, Esq.
Jill H. Bowman, Esq.
Carlton Fields
P.O. Box 2861
St. Petersburg, FL 33731
(Florida Power Corporation)

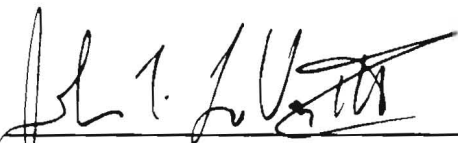
James A. McGee, Esq.
Senior Counsel
Florida Power Corporation
P.O. Box 14042
St. Petersburg, FL 33733
(Florida Power Corporation)

Robert W. Pass, Esq.
Carlton Fields
215 S. Monroe Street, Suite 500
Tallahassee, FL 32301
(Florida Power Corporation)

Scott A. Goorland, Esq.
Dept. of Environmental
Protection
3900 Commonwealth Blvd, MS 35
Tallahassee, FL 32399-2400

Mr. Paul Darst
Dept. of Community Affairs
Division of Local
Resource Planning
2740 Centerview Drive
Tallahassee, FL 32399-2100

Jon C. Moyle, Jr., Esq.
Moyle, Flanigan, Katz, Kolins,
Raymond & Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301


Attorney

Section 13 Applicable Law

Section 14

Section 15 Reopener

The Parties will engage in good faith negotiations concerning the terms and conditions under which the PPA will continue beyond May 31, 2009 ("Continuation"). If the Continuation is not executed by July 31, 2005, either Party will be free to terminate the agreement for its convenience upon sixty (60) days notice. Such termination will be based upon the terminating

Party's sole judgment. If either Party terminates the PPA for its convenience pursuant to this Section, then (i) the early termination date shall be the date specified by the terminating Party in its written notice to the other Party, (ii) no termination charges shall apply, (iii) and any further rights and obligations between the Parties with respect to the PPA other than those that expressly survive shall terminate. The Parties agree that, unless otherwise agreed to by the Parties, Continuations to the PPA term shall be in sixty (60) month increments and that similar reopener provisions to that contained herein shall be part of any such PPA Continuation.

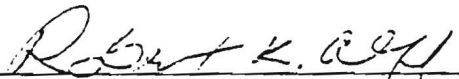
Section 16 Ancillary Services

EXECUTION

By the signatures of their authorized representatives below, Buyer and Seller commit to negotiate in good faith a PPA, which, subject to approval of their respective board of directors and the Rural Utilities Service, incorporates the agreed upon fundamental commercial principles and mutually agreed upon general terms and conditions which are consistent with other power purchase agreements. This MOU may be executed in any number of counterparts, such counterparts may be transmitted by either Party to the other Party by facsimile transmission, and each executed counterpart or facsimile transmission thereof shall have the same force and effect as an original instrument.

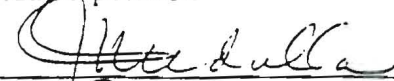
CALPINE ENERGY SERVICES L.P.

a Delaware limited partnership

By: 
Name: Bob Alff
Title: Senior Vice President

SEMINOLE ELECTRIC COOPERATIVE, INC.

a Florida Corporation

By: 
Name: R. J. Miodulla
Title: Exec. V.P. & G.M.

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

February 13, 2001

John T. LaVia, III, Esquire
Landers & Parsons, P.A.
310 West College Avenue
Post Office Box 271
Tallahassee, Florida 32302

Re: Return of Confidential Document to the Source, Docket No. 000442-EI

Dear Mr. LaVia:

Commission staff have advised that confidential Document No. 13157-00 filed on behalf of Calpine Construction Finance Company, L.P. and Calpine Energy Services, L.P., can be returned to the source. The document is enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

Kay Flynn, Chief
Bureau of Records

Enclosure

cc: Judy Harlow, Division of Safety and Electric Reliability
Bob Elias, Division of Legal Services
Rachael Isaac, Division of Legal Services
Tom Ballinger, Division of Safety and Electric Reliability

SIGNED FOR BY

A handwritten signature in dark ink, appearing to read "D. Aller".

D. Aller

DATE 2-13-01

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

Case Scheduling/Rescheduling Advice

Printed on 04/17/2000 at 16:22

Page 1 of 1

To:

<input checked="" type="checkbox"/> Commissioner Deason <input checked="" type="checkbox"/> Commissioner Clark <input checked="" type="checkbox"/> Commissioner Jacobs <input checked="" type="checkbox"/> Commissioner Jaber <input checked="" type="checkbox"/> Executive Director <input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Deputy Executive Director/Technical <input checked="" type="checkbox"/> Appeals Director <input checked="" type="checkbox"/> Legal Director <input checked="" type="checkbox"/> Auditing & Financial Analysis Director <input type="checkbox"/> Telecommunications Director <input checked="" type="checkbox"/> Consumer Affairs Director	<input checked="" type="checkbox"/> Electric & Gas Director <input checked="" type="checkbox"/> Records & Reporting Director <input checked="" type="checkbox"/> PAI Director <input type="checkbox"/> Water & Wastewater Director <input checked="" type="checkbox"/> Court Reporter <input checked="" type="checkbox"/> Staff Contact - Bob Elias
--	--	--

From: Office of Chairman Joe Garcia

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		08/02/2000	Tallahassee, Room 152	1:30 PM - 5:00 PM
Hearing		08/14/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing		08/15/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing		08/16/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Hearing Officers

Former Assignments

Commissioners						Hearing Exam.	Staff
ALL	GR	DS	CL	JC	JB		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	GR	DS	CL	JC	JB		
X							

Prehearing Officer

Commissioners					
GR	DS	CL	JC	JB	ADM

Commissioners					
GR	DS	CL	JC	JB	ADM
				X	

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks:

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 000442-EI Date Docketed: 04/14/2000 Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.
 Company: All Investor-Owned Electric Utilities
Calpine Construction Finance Company, L.P.

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____
 ("()" indicates OPR)

ADM	AFA	APP	CAF	CMU	(EAG)	GCL	LEG	RAR	PAI	WAW
_____	_____	_____	_____	_____	<u>X</u>	_____	<u>X</u>	_____	_____	_____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B2(a)

Staff Assignments

OPR Staff J Harlow

Staff Counsel B Elias
OCRs () _____

() _____

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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level**

Due Dates

Previous Current

0		
1. Revised CASR Due	NONE	11/01/2000
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 05/03/2000

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	GR	DS	CL	JC	JB		
X							

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JC	JB	
				X	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: 05/03/2000

Case Scheduling/Rescheduling Advice

Last Revised 05/16/2000 at 15:22

Page 1 of 1

Printed on 05/16/2000 at 16:56

To: <input checked="" type="checkbox"/> Commissioner Deason <input checked="" type="checkbox"/> Commissioner Clark <input checked="" type="checkbox"/> Commissioner Jacobs <input checked="" type="checkbox"/> Commissioner Jaber <input checked="" type="checkbox"/> Executive Director <input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Deputy Executive Director/Technical <input checked="" type="checkbox"/> Appeals Director <input checked="" type="checkbox"/> Legal Director <input checked="" type="checkbox"/> Auditing & Financial Analysis Director <input type="checkbox"/> Telecommunications Director <input checked="" type="checkbox"/> Consumer Affairs Director	<input checked="" type="checkbox"/> Electric & Gas Director <input checked="" type="checkbox"/> Records & Reporting Director <input checked="" type="checkbox"/> PAI Director <input type="checkbox"/> Water & Wastewater Director <input checked="" type="checkbox"/> Court Reporter <input checked="" type="checkbox"/> Staff Contact - Bob Elias
---	--	--

From: Office of Chairman Joe Garcia

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	08/02/2000	Cancelled	Tallahassee, Room 152	1:30 PM - 5:00 PM
Hearing	08/14/2000	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	08/15/2000	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	08/16/2000	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	GR	DS	CL	JC	JB		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	GR	DS	CL	JC	JB		
X							

Prehearing Officer

Commissioners					
GR	DS	CL	JC	JB	ADM

Commissioners					
GR	DS	CL	JC	JB	ADM
				X	

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: PH/Hearing cancelled.

Case Scheduling/Rescheduling Advice

Last Revised 06/19/2000 at 14:21

Page 1 of 1

Printed on 06/19/2000 at 15:44

To: ☒ Commissioner Deason ☒ Deputy Executive Director/Tech ☒ Safety & Electric Reliability Director
☒ Commissioner Clark ☒ Appeals Director ☒ Records & Reporting Director
☒ Commissioner Jacobs ☒ Legal Director ☒ PAI Director
☒ Commissioner Jaber ☐ Economic Regulation Director ☐ Regulatory Oversight Director
☒ Executive Director ☐ Competitive Services Director ☒ Court Reporter
☒ Public Information Officer ☒ Consumer Affairs Director ☒ Staff Contact - Bob Elias

From: Office of Chairman Joe Garcia

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		10/03/2000	Tallahassee, Room 148	9:30 AM - 12:00 PM
Hearing		10/18/2000	Tallahassee, Room 148	10:00 AM - 5:00 PM
Hearing		10/19/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing		10/20/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	GR	DS	CL	JC	JB		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	GR	DS	CL	JC	JB		
X							

Prehearing Officer

Commissioners					
GR	DS	CL	JC	JB	ADM

Commissioners					
GR	DS	CL	JC	JB	ADM
				X	

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: PH/Hearing cancelled.

Case Scheduling/Rescheduling Advice

Last Revised 07/18/2000 at 15:32

Page 1 of 1

Printed on 07/18/2000 at 16:26

To:

<input checked="" type="checkbox"/> Commissioner Clark <input checked="" type="checkbox"/> Commissioner Jacobs <input checked="" type="checkbox"/> Commissioner Jaber <input checked="" type="checkbox"/> New Commissioner <input checked="" type="checkbox"/> Executive Director <input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Deputy Executive Director/Tech <input checked="" type="checkbox"/> Appeals Director <input checked="" type="checkbox"/> Legal Director <input type="checkbox"/> Economic Regulation Director <input type="checkbox"/> Competitive Services Director <input checked="" type="checkbox"/> Consumer Affairs Director	<input checked="" type="checkbox"/> Safety & Electric Reliability Director <input checked="" type="checkbox"/> Records & Reporting Director <input checked="" type="checkbox"/> PAI Director <input type="checkbox"/> Regulatory Oversight Director <input checked="" type="checkbox"/> Court Reporter <input checked="" type="checkbox"/> Staff Contact - Bob Elias
---	--	---

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time

2. Hearing/Prehearing Assignment Information

Hearing Officers

Former Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		
	1	1					

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	CL	JC	JB	NC		
			X	X	X		

Prehearing Officer

Commissioners						
DS	CL	JC	JB	NC	ADM	

Commissioners						
DS	CL	JC	JB	NC	ADM	
			X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: Hearing Assignment Changed from FULL to PANEL (JC,JB,NC). PH-9/25; H-10/18-20.

Case Scheduling/Rescheduling Advice

Last Revised 08/28/2000 at 14:20

Page 1 of 1

Printed on 08/28/2000 at 17:10

To:

<input checked="" type="checkbox"/> Commissioner Jacobs <input checked="" type="checkbox"/> Commissioner Jaber <input checked="" type="checkbox"/> New Commissioner <input type="checkbox"/> New Commissioner-SC <input checked="" type="checkbox"/> Executive Director <input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Deputy Executive Director/Tech <input checked="" type="checkbox"/> Appeals Director <input checked="" type="checkbox"/> Legal Director <input type="checkbox"/> Economic Regulation Director <input type="checkbox"/> Competitive Services Director <input checked="" type="checkbox"/> Consumer Affairs Director	<input checked="" type="checkbox"/> Safety & Electric Reliability Director <input checked="" type="checkbox"/> Records & Reporting Director <input checked="" type="checkbox"/> PAI Director <input type="checkbox"/> Regulatory Oversight Director <input checked="" type="checkbox"/> Court Reporter <input checked="" type="checkbox"/> Staff Contact - Bob Elias
---	--	---

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	09/25/2000	11/03/2000	Tallahassee, Room 152	1:00 PM - 5:00 PM
Hearing	10/18/2000	11/29/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	10/19/2000	11/30/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	10/20/2000	12/01/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

<p style="text-align: center;">Former Assignments</p> <p><u>Hearing Officers</u></p> <table border="1" style="width: 100%; text-align: center;"> <tr> <th colspan="6">Commissioners</th> <th rowspan="2">Hearing Exam.</th> <th rowspan="2">Staff</th> </tr> <tr> <th>ALL</th><th>DS</th><th>JC</th><th>JB</th><th>NC</th><th>SC</th> </tr> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td> <td> </td><td> </td> </tr> </table> <p><u>Prehearing Officer</u></p> <table border="1" style="width: 100%; text-align: center;"> <tr> <th colspan="7">Commissioners</th> </tr> <tr> <th>DS</th><th>JC</th><th>JB</th><th>NC</th><th>SC</th><th>ADM</th><th> </th> </tr> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td> </tr> </table>	Commissioners						Hearing Exam.	Staff	ALL	DS	JC	JB	NC	SC									Commissioners							DS	JC	JB	NC	SC	ADM									<p style="text-align: center;">Current Assignments</p> <table border="1" style="width: 100%; text-align: center;"> <tr> <th colspan="6">Commissioners</th> <th rowspan="2">Hearing Exam.</th> <th rowspan="2">Staff</th> </tr> <tr> <th>ALL</th><th>DS</th><th>JC</th><th>JB</th><th>NC</th><th>SC</th> </tr> <tr> <td> </td><td> </td><td>X</td><td>X</td><td>X</td><td> </td> <td> </td><td> </td> </tr> </table> <table border="1" style="width: 100%; text-align: center;"> <tr> <th colspan="7">Commissioners</th> </tr> <tr> <th>DS</th><th>JC</th><th>JB</th><th>NC</th><th>SC</th><th>ADM</th><th> </th> </tr> <tr> <td> </td><td> </td><td>X</td><td> </td><td> </td><td> </td><td> </td> </tr> </table>	Commissioners						Hearing Exam.	Staff	ALL	DS	JC	JB	NC	SC			X	X	X				Commissioners							DS	JC	JB	NC	SC	ADM				X				
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Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: PH/H dates and times changed.

Case Scheduling/Rescheduling Advice

Last Revised 08/28/2000 at 14:20

Page 1 of 1

Printed on 08/31/2000 at 13:45

To: ☒ Commissioner Jacobs ☒ Deputy Executive Director/Tech ☒ Safety & Electric Reliability Director
☒ Commissioner Jaber ☒ Appeals Director ☒ Records & Reporting Director
☒ New Commissioner ☒ Legal Director ☒ PAI Director
☐ New Commissioner-SC ☐ Economic Regulation Director ☐ Regulatory Oversight Director
☒ Executive Director ☐ Competitive Services Director ☒ Court Reporter
☒ Public Information Officer ☒ Consumer Affairs Director ☒ Staff Contact - Bob Elias

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	09/25/2000	11/03/2000	Tallahassee, Room 152	1:00 PM - 5:00 PM
Hearing	10/18/2000	11/29/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	10/19/2000	11/30/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	10/20/2000	12/01/2000	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Hearing Officers

Former Assignments							
Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	NC	SC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	NC	SC		
		X	X	X			

Prehearing Officer

Commissioners					
DS	JC	JB	NC	SC	ADM

Commissioners					
DS	JC	JB	NC	SC	ADM
		X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: PH/H dates and times changed.

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 000442-EI Date Docketed: 04/14/2000 Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.
Company: Calpine Construction Finance Company, L.P.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()") indicates OPR

ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR RGO (SER) WAW
_____ X _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B2(a)

Staff Assignments

OPR Staff J Harlow, T Bohrmann, J Berman

Staff Counsel B Elias, R Isaac

OCRs (ECR) P Lester, P Stallcup

(CMP) W Makin

() _____

() _____

() _____

Recommended assignments for hearing
and/or deciding this case:

Full Commission _____ Commission Panel X
Hearing Examiner _____ Staff _____

Date filed with RAR: 09/05/2000

Initials: OPR _____
Staff Counsel _____

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level**

2

Due Dates

Previous Current

1. Order Establishing Procedure	NONE	09/07/2000
2. Oral Argument	NONE	09/14/2000
3. Intervenor Testimony, if any	NONE	10/09/2000
4. Staff Testimony, if any	NONE	10/16/2000
5. Preliminary List of Issues	NONE	10/19/2000
6. Issue Identification Meeting	NONE	10/20/2000
7. Petitioner's Rebuttal Testimony, if any	NONE	10/23/2000
8. Prehearing Statements	NONE	10/26/2000
9. Petitioner's Supplemental Testimony, if any	NONE	11/01/2000
10. Prehearing	NONE	11/03/2000
11. Intervenor's Supplemental Testimony, if any	NONE	11/08/2000
12. Transcripts Due for Prehearing	NONE	11/09/2000
13. Staff's Supplemental Testimony, if any	NONE	11/15/2000
14. Petitioner's Rebuttal, if any	NONE	11/22/2000
15. Hearing (11/29-12/1/00)	NONE	11/29/2000
16. Transcripts Due	NONE	12/08/2000
17. Briefs Due	NONE	12/22/2000
18. Staff Recommendation	NONE	01/18/2001
19. Agenda	NONE	01/30/2001
20. Standard Order	NONE	02/19/2001
21. Close Docket or Revise CASR	NONE	03/21/2001
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Section 3 - Chairman Completes

Assignments are as follows:

CSRA

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BB	XX		
		X	X	X			

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BB	XX	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman;
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

Approved: 20/8m

Date: 09/05/2000

Case Scheduling/Rescheduling Advice

Last Revised 09/11/2000 at 11:27

Page 1 of 1

Printed on 09/11/2000 at 13:26

To: ☐ Commissioner Jacobs ☒ Deputy Executive Director/Tech ☒ Safety & Electric Reliability Director
☒ Commissioner Jaber ☒ Appeals Director ☒ Records & Reporting Director
☐ Commissioner Baez ☒ Legal Director ☒ PAI Director
☐ New Commissioner-SC ☒ Economic Regulation Director ☐ Regulatory Oversight Director
☒ Executive Director ☒ Competitive Services Director ☒ Court Reporter
☒ Public Information Officer ☒ Consumer Affairs Director ☒ Staff Contact - Bob Elias

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Emergency Oral Argument		09/19/2000	Tallahassee, Room 152	8:00 AM - 9:00 AM

2. Hearing/Prehearing Assignment Information

Hearing Officers

Former Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		
			X				

Prehearing Officer

Commissioners

DS	JC	JB	BZ	SC	ADM

Commissioners

DS	JC	JB	BZ	SC	ADM
		X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: Com. Jaber ONLY!

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 000442-EI Date Docketed: 04/14/2000 Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.
Company: Calpine Construction Finance Company, L.P.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR RGO (SER) WAW
_____ X _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B2(a)

Staff Assignments

OPR Staff J Harlow, T Bohrmann, J Breman

Staff Counsel B Elias, R Isaac

OCRs (ECR) P Lester, P Stallcup

(CMP) W Makin

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Recommended assignments for hearing
and/or deciding this case:

Full Commission _____ Commission Panel X
Hearing Examiner _____ Staff _____

Date filed with RAR: 09/05/2000

Initials: OPR _____
Staff Counsel _____

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level**

3

Due Dates

Previous Current

1. Oral Argument	09/14/2000	09/19/2000
2. Intervenor Testimony, if any	SAME	10/09/2000
3. Staff Testimony, if any	SAME	10/16/2000
4. Preliminary List of Issues	SAME	10/19/2000
5. Issue Identification Meeting	SAME	10/20/2000
6. Petitioner's Rebuttal Testimony, if any	SAME	10/23/2000
7. Prehearing Statements	SAME	10/26/2000
8. Petitioner's Supplemental Testimony, if any	SAME	11/01/2000
9. Prehearing	SAME	11/03/2000
10. Intervenor's Supplemental Testimony, if any	SAME	11/08/2000
11. Transcripts Due for Prehearing	SAME	11/09/2000
12. Staff's Supplemental Testimony, if any	SAME	11/15/2000
13. Petitioner's Rebuttal, if any	SAME	11/22/2000
14. Hearing (11/29-12/1/00)	SAME	11/29/2000
15. Transcripts Due	SAME	12/08/2000
16. Briefs Due	SAME	12/22/2000
17. Staff Recommendation	SAME	01/18/2001
18. Agenda	SAME	01/30/2001
19. Standard Order	SAME	02/19/2001
20. Close Docket or Revise CASR	SAME	03/21/2001
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Section 3 - Chairman Completes

CSPA

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BZ	XX		
		X	X	X			

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BZ	XX	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman;
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

Approved: JD / sm

Date: 09/13/2000

Case Scheduling/Rescheduling Advice

Last Revised 09/18/2000 at 09:12

Page 1 of 1

Printed on 09/19/2000 at 16:12

To: ☒ Commissioner Jacobs ☒ Deputy Executive Director/Tech ☒ Safety & Electric Reliability Director
☒ Commissioner Jaber ☒ Appeals Director ☒ Records & Reporting Director
☒ Commissioner Baez ☒ Legal Director ☒ PAI Director
☐ New Commissioner-SC ☒ Economic Regulation Director ☐ Regulatory Oversight Director
☒ Executive Director ☒ Competitive Services Director ☒ Court Reporter
☒ Public Information Officer ☒ Consumer Affairs Director ☒ Staff Contact - Bob Elias

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	11/03/2000	11/20/2000	Tallahassee, Room 152	8:00 AM - 9:30 AM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		
		X	X	X			

Prehearing Officer

Commissioners					
DS	JC	JB	BZ	SC	ADM

Commissioners					
DS	JC	JB	BZ	SC	ADM
		X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: PH dates and time changed. Hearing is Nov. 9-30 and Dec. 1, 2000. PLEASE NOTE THAT A HEARING BEGINS AT 9:30 WHICH INCLUDES COM. JABER.

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 000442-EI Date Docketed: 04/14/2000 Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

Company: Calpine Construction Finance Company, L.P.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR RGO (SER) WAW
____ _ X ____ _ X ____ _ X ____ _

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B2(a)

Staff Assignments

OPR Staff J Harlow, T Bohrmann, J Brenan

Staff Counsel B Elias, R Isaac

OCRs (ECR) P Lester, P Stallcup

(CMP) W Makin

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Recommended assignments for hearing
and/or deciding this case:

Full Commission _____ Commission Panel X
Hearing Examiner _____ Staff _____

Date filed with RAR: 09/18/2000

Initials: OPR _____
Staff Counsel _____

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level**

4

Due Dates

Previous Current

1. Oral Argument	09/14/2000	09/19/2000
2. Intervenor Testimony, if any	10/09/2000	10/16/2000
3. Staff Testimony, if any	10/16/2000	10/23/2000
4. Petitioner's Rebuttal Testimony, if any	10/23/2000	10/30/2000
5. Petitioner's Supplemental Testimony, if any	SAME	11/01/2000
6. Preliminary List of Issues	10/19/2000	11/06/2000
7. Intervenor's Supplemental Testimony, if any	SAME	11/08/2000
8. Issue Identification Meeting	10/20/2000	11/08/2000
9. Prehearing Statements	10/26/2000	11/13/2000
10. Staff's Supplemental Testimony, if any	SAME	11/15/2000
11. Prehearing	11/03/2000	11/20/2000
12. Petitioner's Rebuttal, if any	SAME	11/22/2000
13. Transcripts Due for Prehearing	11/09/2000	11/22/2000
14. Hearing (11/29-12/1/00)	SAME	11/29/2000
15. Transcripts Due	SAME	12/08/2000
16. Briefs Due	12/22/2000	12/29/2000
17. Staff Recommendation	01/18/2001	01/25/2001
18. Agenda	01/30/2001	02/06/2001
19. Standard Order	02/19/2001	02/27/2001
20. Close Docket or Revise CASR	03/21/2001	03/26/2001
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BZ	XX		
		X	X	X			

Where panels are assigned the senior Commissioner is Panel Chairman;
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

PSC/RAR-15 (Rev. 2/00)

* COMPLETED EVENTS

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BZ	XX	
		X			

Approved: 20/8m

Date: 09/18/2000

C

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 000462-TP Date Docketed: 04/19/2000 Title: Application for transfer of control of Florida Digital Network, Inc. (holder of ALEC Certificate No. 5715 and IXC Certificate No. 7048) to Elantic Communications, Inc., whereby Florida Digital will become a direct, wholly owned subsidiary of Elantic.

Company: Florida Digital Network, Inc.
Florida Digital Network, Inc.

Official Filing Date: _____
Last Day to Suspend: _____ Expiration: _____

Referred to: _____
("()" indicates OPR)

ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR (RGO) SER WAW
_____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module Bl(j)

Staff Assignments

OPR Staff T Williams

Staff Counsel F Banks

OCRs () _____

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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level**

3

Due Dates

Previous Current

1. Staff Recommendation	NONE	11/16/2000
2. Agenda	NONE	11/18/2000
3. Standard Order	NONE	12/17/2000
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with RAR: 11/15/2000

Initials: OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BZ	XX		
X							

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BZ	XX	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: 20/sm

Date: 11/15/2000

Case Scheduling/Rescheduling Advice

Last Revised 11/27/2000 at 13:50

Page 1 of 1

Printed on 11/27/2000 at 17:06

To: ☒ Commissioner Jacobs ☒ Deputy Executive Director/Tech ☒ Safety & Electric Reliability Director
☒ Commissioner Jaber ☒ Appeals Director ☒ Records & Reporting Director
☒ Commissioner Baez ☒ Legal Director ☒ PAI Director
☐ New Commissioner-SC ☒ Economic Regulation Director ☐ Regulatory Oversight Director
☒ Executive Director ☒ Competitive Services Director ☒ Court Reporter
☒ Public Information Officer ☒ Consumer Affairs Director ☒ Staff Contact - Bob Elias

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Hearing	01/03/2001	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	01/04/2001	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	01/05/2001	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		
		X	X	X			

Prehearing Officer

Commissioners					
DS	JC	JB	BZ	SC	ADM

Commissioners					
DS	JC	JB	BZ	SC	ADM
		X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks:

Case Scheduling/Rescheduling Advice

Last Revised 10/24/2000 at 10:32

Page 1 of 1

Printed on 10/24/2000 at 17:27

To: ☒ Commissioner Jacobs ☒ Deputy Executive Director/Tech ☒ Safety & Electric Reliability Director
☒ Commissioner Jaber ☒ Appeals Director ☒ Records & Reporting Director
☒ Commissioner Baez ☒ Legal Director ☒ PAI Director
☐ New Commissioner-SC ☒ Economic Regulation Director ☐ Regulatory Oversight Director
☒ Executive Director ☒ Competitive Services Director ☒ Court Reporter
☒ Public Information Officer ☒ Consumer Affairs Director ☒ Staff Contact - Bob Elias

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Hearing	11/29/2000	01/03/2001	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	11/30/2000	01/04/2001	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	12/01/2000	01/05/2001	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		
		X	X	X			

Prehearing Officer

Commissioners					
DS	JC	JB	BZ	SC	ADM

Commissioners					
DS	JC	JB	BZ	SC	ADM
		X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: H dates changed.

Section 1 - Division of Records and Reports (RAR) Completes

Expiration: _____

ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR (RGO) SER WAW
X X

Time Schedule

Staff Assignments

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level

Due Dates

Previous Current

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Initials: OPR _____
Staff Counsel _____

4

1. Staff Recommendation
2. Agenda (Deferred from 11/28/00 Agenda)
3. Standard Order
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NONE	12/07/2000
NONE	12/19/2000
12/17/2000	01/08/2001

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BZ	XX		
X							

Where panels are assigned the senior Commissioner is Panel Chairman:
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BZ	XX	
					X

Approved: 20/8m

Date: 11/29/2000

Case Scheduling/Rescheduling Advice

Last Revised 11/07/2000 at 16:37

Page 1 of 1

Printed on 11/07/2000 at 17:06

To: ☒ Commissioner Jacobs ☒ Deputy Executive Director/Tech ☒ Safety & Electric Reliability Director
☒ Commissioner Jaber ☒ Appeals Director ☒ Records & Reporting Director
☒ Commissioner Baez ☒ Legal Director ☒ PAI Director
☐ New Commissioner-SC ☒ Economic Regulation Director ☐ Regulatory Oversight Director
☒ Executive Director ☒ Competitive Services Director ☒ Court Reporter
☒ Public Information Officer ☒ Consumer Affairs Director ☒ Staff Contact - Bob Elias

From: Office of Chairman Terry Deason

Docket Number: 000442-EI

Docket Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	11/20/2000	12/21/2000	Tallahassee, Room 152	9:30 AM - 12:00 PM

2. Hearing/Prehearing Assignment Information

Hearing Officers

Former Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	DS	JC	JB	BZ	SC		
		X	X	X			

Prehearing Officer

Commissioners

DS	JC	JB	BZ	SC	ADM

Commissioners

DS	JC	JB	BZ	SC	ADM
		X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: PH date changed. H-1/2-5/2001

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report. (RAR) Completes

Docket No. 000442-EI Date Docketed: 04/14/2000 Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.
Company: Calpine Construction Finance Company, L.P.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR RGO (SER) WAW
_____ X _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B2(a)

Staff Assignments

OPR Staff J Harlow, T Bohrmann, J Brehan

Staff Counsel B Elias, R Isaac

OCRs (ECR) P Lester, P Stallcup

(CMP) W Makin

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Recommended assignments for hearing
and/or deciding this case:

Full Commission _____ Commission Panel X
Hearing Examiner _____ Staff _____

Date filed with RAR: 11/09/2000

Initials: OPR _____
Staff Counsel _____

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level**

5

Due Dates

Previous Current

1. Standard Order	SAME	11/06/2000
2. Petitioner's Supplemental Testimony, if any	11/01/2000	11/13/2000
3. Preliminary List of Issues	11/06/2000	11/17/2000
4. Issue Identification Meeting	11/08/2000	12/01/2000
5. Intervenor's Supplemental Testimony, if any	11/08/2000	12/11/2000
6. Staff's Supplemental Testimony, if any	11/15/2000	12/13/2000
7. Prehearing Statements	11/13/2000	12/13/2000
8. Petitioner's Rebuttal, if any	11/22/2000	12/21/2000
9. Prehearing	11/20/2000	12/21/2000
10. Transcripts Due for Prehearing	11/22/2000	12/22/2000
11. Hearing (1/3 - 1/5/01)	11/29/2000	01/03/2001
12. Transcripts Due	12/08/2000	01/12/2001
13. Briefs Due	12/29/2000	02/02/2001
14. Staff Recommendation	01/25/2001	03/15/2001
15. Agenda	02/06/2001	03/27/2001
16. Standard Order	02/27/2001	04/16/2001
17. Close Docket or Revise CASR	03/26/2001	05/11/2001
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Section 3 - Chairman Completes

Assignments are as follows:

CSRA

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BZ	XX		
		X	X	X			

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BZ	XX	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman;
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

Approved: AD/Sm

Date: 11/09/2000

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 000442-EI Date Docketed: 04/14/2000 Title: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.
Company: Calpine Construction Finance Company, L.P.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR RGO (SER) WAW
_____ X _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B2(a)

Staff Assignments

OPR Staff J Harlow, T Bohrmann, J Brehm

Staff Counsel B Elias, R Isaac

OCRs (ECR) P Lester, P Stallcup

(CMP) W Makin

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Recommended assignments for hearing
and/or deciding this case:

Full Commission _____ Commission Panel X
Hearing Examiner _____ Staff _____

Date filed with RAR: 12/01/2000

Initials: OPR _____
Staff Counsel _____

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level**

6

Due Dates

Previous Current

1. Staff Recommendation	NONE	12/07/2000
2. Agenda	NONE	12/19/2000
3. Standard Order	NONE	01/08/2001
4. Close Docket or Revise CASR	NONE	02/08/2001
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BZ	XX		
		X	X	X			

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BZ	XX	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman;
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

Approved: TD/smr
Date: 12/01/2000

Hong Wang

From: Kay Flynn
Sent: Monday, April 17, 2000 10:38 AM
To: Hong Wang; Linda Williams
Subject: 000442-EI - Need determination by Calpine

We opened this docket on staff's request; we don't have the need determination petition yet, and I don't know when it's coming in. We need to be on the lookout for it, however, in order to do two things:

1. add the company and any representative to the parties list (be sure the filing goes to Hong)
2. be sure the company name ("Calpine Construction Finance Company, L.P.") is correct--we may need to correct the docket title

Also, Hong, we need to go ahead and add the list of entities to the parties list that are required in need determination dockets.

Let me know if questions.

Kay



LANDERS & PARSONS, P.A.

Attorneys at law
310 West College Avenue
Tallahassee, Florida 32301
(850) 681-0311
(850) 224-5595 FAX

FAX COVER SHEET**DATE & TIME:**

050442

NUMBER OF PAGES (INCLUDING COVER SHEET):

3

<u>PLEASE DELIVER FAX TO:</u>	<u>FAX NO.</u>
Hong	413-7118

FROM: LESLIE PAUGH**IF ANY PROBLEMS, please contact Joann at: (850) 681-0311.****MESSAGE:**

Per your request

Done 5/05/00

Leslie

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. If you have received this communication in error, please immediately notify us by telephone. Thank you.

Pursuant to Rule 25-22.071, F.A.C., on April ____ 2000, Calpine
filed a Ten-Year Site Plan with the Commission.

PROCEDURAL BACKGROUND AND INFORMATION

1. The name and address of the Petitioner is as follows:

Calpine Construction Finance Company, L.P.
ATTN: Robert K. Alff
Senior Vice President
Calpine Eastern Corporation
The Pilot House, 2nd Floor, Lewis Wharf
Boston, Massachusetts 02110

2. All pleadings, motions, orders, and other documents
directed to Petitioner are to be served on the following:

Robert Scheffel Wright and
John T. LaVia, III
Landers & Parsons, P.A.
310 West College Avenue (ZIP 32301)
Post Office Box 271
Tallahassee, Florida 32302,

and

Alycia Lyons Goody, Esquire
Regional Counsel
Calpine Eastern Corporation
The Pilot House, 2nd Floor, Lewis Wharf
Boston, Massachusetts 02110

with courtesy copies to:
Paul Barnett
Director, Asset Optimization
Calpine Eastern Corporation
The Pilot House, 2nd Floor, Lewis Wharf
Boston, Massachusetts 02110

Tim Eves
Director, Business Development
Two Urban Centre
4890 West Kennedy Blvd., Suite 600
Tampa, Florida 33609

3. The name and address of the agency affected by this
Petition is:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

PRIMARYLY AFFECTED UTILITY



Public Service Commission

State of Florida

-M-E-M-O-R-A-N-D-U-M-

DATE: May 31, 2000

TO: Blanca Bayó, Director, Records and Reporting

FROM: Jane Faurot, Chief, Bureau of Reporting

000442

RE: DOCKET NO. 991462-EU, ETC., MAY 16 AGENDA CONFERENCE

RE: ITEM NO. 9, PETITION FOR DETERMINATION OF NEED FOR AN ELECTRICAL POWER PLANT IN OKEECHOBEE COUNTY BY OKEECHOBEE GENERATING COMPANY, L.L.C., ETC.

DOCUMENT NO. 06617, 5-30-00

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, WAW

Acknowledged BY:

man

JF/pc

PSC/RAR 28 (Rev1/00)

filed in 991462-EU.

MOYLE, FLANIGAN, KATZ, KOLINS, RAYMOND & SHEEHAN, P.A.

ATTORNEYS AT LAW

210 South Monroe Street
Tallahassee, Florida 32301

Telephone: (850) 681-3828

Facsimile: (850) 681-8788

JON C. MOYLE, JR.

E-mail: jmoylejr@moylelaw.com

June 23, 2000

Other Offices:

West Palm Beach, FL

(561) 659-7900

Palm Beach Gardens, FL

(561) 625-6480

BY U.S. MAIL

Blanca S. Bayo, Director
Records and Reporting
Public Service Commission
2540 Shumard Oaks Drive
Tallahassee, FL 32399-0850

RECEIVED-PPSC
00 JUL -6 AM 9:16
RECORDS AND
REPORTING

Dear Ms. Bayo:

000442

I would appreciate it if you would include the law firm of Moyle, Flanigan, Katz, Kolins, Raymond & Sheehan as an interested party in Docket No. 00042-EI -- Petition for Determination of Need for an Electrical Power Plant in Polk County by Calpine Construction Finance Company, L.P.

Sincerely,


Jon C. Moyle, Jr.

JCM/jd

Done 7/10/00

M E M O R A N D U M

June 27, 2000

✓ RECEIVED - FPSC

60 JUN 27 AM 10:32

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (ELIAS/ISAAC) *RNS WCK for RVE*

RE: DOCKET NO. 000442-EI - PETITION FOR DETERMINATION OF NEED
FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.

Attached is NOTICE OF COMMENCEMENT OF PROCEEDING FOR
DETERMINATION OF NEED FOR PROPOSED ELECTRICAL POWER PLANT, to be
issued in the above-referenced docket. (Number of pages - 2)

RNI

cc: Division of Safety & Electric Reliability (Harlow)

I: 000442nc.rni

164 f

16m



BLACK & VEATCH

8400 Ward Parkway
P.O. Box 8405
Kansas City, Missouri 64114

Tel: (913) 458-2000

Black & Veatch Corporation

July 12, 2000

Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Attention: Ms. Bianca S. Bayo
Director

Dear Ms Bayo:

I would like to be placed on the interested party mailing list for Docket No. 000442-EI Petition for Determination of Need for the Osprey Energy Center by Calpine Construction Finance Company, L.P. since I am doing Need for Power work for several Florida Utilities.

My mailing address is:

Myron Rollins
Black & Veatch
P.O. Box 8405
Kansas City, MO 64114
(913) 458-7432

Very truly yours,

BLACK & VEATCH

Myron Rollins

MRR:slm

Done 7/17/00

RECEIVED-FPSC
JUL 17 2000

2000 JUL 17 10:00

RECORDS AND REPORTING

M E M O R A N D U M

August 22, 2000

RECEIVED FPSC

00 AUG 23 PM 1:44

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (ELIAS, ISAAC) *and RVE*

RE: DOCKET NO. 000442-EI - PETITION FOR DETERMINATION OF NEED
FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.

Attached is a NOTICE OF NEED DETERMINATION PROCEEDING ON
PROPOSED ELECTRICAL POWER PLANT, to be issued in the above-
referenced docket. (Number of pages in order - 4) *5*

RNI

cc: Division of Electric Safety and Reliability (Harlow)

I: 000442nl.rni

pg 1 + 4

*mailed to all
Public officials*

*boxed
mailed 1/6/15*

Polk County

M E M O R A N D U M

August 29, 2000

RECEIVED FPSC

AUG 29 PM 1:41

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (ELIAS, ISAAC) *RVE RNR*
RE: DOCKET NO. 000442-EI - PETITION FOR DETERMINATION OF NEED
FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.

Attached is a REVISED NOTICE OF NEED DETERMINATION PROCEEDING
ON PROPOSED ELECTRICAL POWER PLANT, to be issued in the above-
referenced docket. (Number of pages in order - *45*)

RNI

cc: Division of Electric Safety and Reliability (Harlow)

I: 000442n1.rni

*pg 1, 2 (header),
4*

PT(1)

166/15

M E M O R A N D U M

SEPTEMBER 11, 2000

✓ RECEIVED-PPSC

00 SEP 11 AM 10:44

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING *RUE*
FROM: DIVISION OF LEGAL SERVICES (ELIAS, ISAAC) *RUE*
RE: DOCKET NO. 000442-EI - PETITION FOR DETERMINATION OF NEED
FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.

1615-PCO

Attached is an Order Establishing Procedure to be issued in
the above-referenced docket. (Number of pages in order - 9)

RNI/jb
cc: Division of Safety and Electric Reliability
I:000442ep.rni

*pg 4 the
Header (pg 2 etc)*

MUST GO TODAY

(1)

M E M O R A N D U M

September 11, 2000

RECEIVED-REC
09 SEP 11 PM 1:45
RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (ELIAS, ISAAC) *RUE RNS*

RE: DOCKET NO. 000442-EI - PETITION FOR DETERMINATION OF NEED
FOR AN ELECTRICAL POWER PLANT IN POLK COUNTY BY CALPINE
CONSTRUCTION FINANCE COMPANY, L.P.

Attached is a NOTICE OF ORAL ARGUMENT to be issued in the
above-referenced docket. (Number of pages in notice - 2)

RNI

cc: Division of Safety & Electric Reliability (Harlow, Bohrmann,
Breman)
Division of Economic Regulation (Lester, Stallcup)
Division of Competitive Services (Makin)

I: 000442oa.rni

a/o

Hong Wang

From: Ruth Nettles
Sent: Monday, September 11, 2000 2:45 PM
To: Rachael Isaac
Cc: Hong Wang
Subject: RE: Address

000442

So, it's the same as Department of Community Affairs? ok. Thanks, as it turns out we had a different address for DCA, so we'll corrected the address information based on this e-mail.

Thanks.

-----Original Message-----

From: Rachael Isaac
Sent: Monday, September 11, 2000 2:40 PM
To: Ruth Nettles
Subject: Address

Department of Community Affairs,
~~Division of Local Resource Management~~
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

Div. of community planning

called the department & was advised to send to this division.

M.R.

9-12-00

MEMORANDUM

September 18, 2000

4:00
RECEIVED-FPSC

SEP 18 PM 1:45

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (ELIAS, ISAAC) *NR RVE*

RE: DOCKET NO. 000442-EI - PETITION FOR DETERMINATION OF NEED
FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.

Attached is a REVISED NOTICE OF NEED DETERMINATION PROCEEDING
ON PROPOSED ELECTRICAL POWER PLANT, to be issued in the above-
referenced docket. (Number of pages in order - 4)

RNI

cc: Division of Electric Safety and Reliability (Harlow)

I: 000442n2.rni

5-5- Tampa electric public
officials.
Sent 9/20/00.
Public officials.
Self mailers.
9/20/00
86/12

M E M O R A N D U M

September 21, 2000

✓ RECEIVED-PPSC

SEP 21 AM 10:08

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (R. ISAAC) *RNI* *had*

RE: DOCKET NO. 000442-EI - PETITION FOR DETERMINATION OF NEED
FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.

1687-PCD

Attached is an ORDER GRANTING PETITIONS FOR INTERVENTION to be
issued in the above-referenced docket. (Number of pages in order
- 3)

RNI/jb

cc: Division of Safety and Electric Reliability (Harlow, Bohrmann,
Breman)

Division of Economic Regulation (Lester, Stallcup)

Division of Competitive Services (Makin)

I:000442or.rni

MUST GO TODAY

510



Public Service Commission

State of Florida

-M-E-M-O-R-A-N-D-U-M-

DATE: September 27, 2000
TO: Blanca Bayó, Director, Records and Reporting
FROM: Jane Faurot, Chief, Bureau of Reporting
RE: DOCKET NO. 000442-EI, ORAL ARGUMENT HELD 9-19-00

RE: PETITION FOR DETERMINATION OF NEED FOR AN ELECTRICAL
POWER PLANT IN POLK COUNTY BY CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.

DOCUMENT NO. 12117, 9-26-00

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR, SER

Acknowledged BY:

16

JF/pc

PSC/RAR 28 (Rev1/00)



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

400442

001064

SITING COORDINATION OFFICE FAX COVER SHEET

OFFICE TELEPHONE NO: 850-487-0472
FAX NO: 850-921-7250

DATE: 10/16/00

TO: Monte Reddish FAX NO. 413-7118

FROM: Buck Oven

COMMENTS: _____



SITING COORDINATION OFFICE
Twin Towers Office Building, Suite 649

HAMILTON S. OVEN, JR., P.E.
SITING ADMINISTRATOR

NUMBER OF PAGES FAXED 1

MAIL:
Dept. of Environmental Protection
Mail Stop 48
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
TELE: (850) 487-0472
FAX: (850) 921-7250
E-Mail: Hamilton.Oven@dep.state.fl.us



Public Service Commission

State of Florida

-M-E-M-O-R-A-N-D-U-M-

DATE: November 2, 2000
TO: Blanca Bayó, Director, Records and Reporting
FROM: Jane Faurot, Chief, Bureau of Reporting
RE: DOCKET NO. 000442-EI, ITEM NO. 49 OF 10-17-00 AGENDA
CONFERENCE.

RE: PETITION FOR DETERMINATION OF NEED FOR THE OSPREY
ENERGY CENTER BY CALPINE CONSTRUCTION FINANCE COMPANY,
L.P.

DOCUMENT NO. 14086, 10-31-00

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR, SER

Acknowledged BY:

Mar

JF/pc

PSC/RAR 28 (Rev1/00)

STATE OF FLORIDA

Commissioners:
J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYO
DIRECTOR
(850) 413-6770

Public Service Commission

November 8, 2000

VIA FAX NO. 863-802-7814

The Ledger
ATTN: Patti Rouse
P.O. Box 408
Lakeland, Florida 33802

Re: Publication of notice of hearing concerning Docket 000442-EI

Dear Ms. Rouse:

Attached is a notice for publication as a quarter-page display ad in the **Sunday, November 12, 2000**, edition of *The Ledger*. As we discussed, the ad should be placed in the local section of the newspaper. Based on the ad you published for us on October 8, I will assume the cost of this ad will also be \$1,087.80, unless you advise me otherwise.

The bill for publication of the notice should be sent to our Division of Administration (ATTN: Fiscal Section) at the address printed below. The proof of publication should be sent directly to me.

→ Please fax a copy of the notice to me for proofing before it is published. My fax number is 850-413-7118.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kay Flynn".

Kay Flynn, Chief
Bureau of Records

Enclosure

cc: Rachael Isaac
Bob Elias
Scheff Wright