

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Revision to Rules 25-17.082,)	DOCKET NO. 891049-EU
17.0825, 17.083, 17.0831, 17.088,)	
17.0882, 17.091, and creation of Rules)	ORDER NO. 22272
25-17.081, 17.0832, 17.0833, 17.0834,)	
17.0883, and 17.089, F.A.C.,)	ISSUED: 12-7-89
Cogeneration Rules.)	

NOTICE OF PROCEDURES TO BE FOLLOWED AT RULEMAKING HEARINGI. Background

The Florida Public Service Commission is revising and promulgating rules for cogeneration and small power production. The Commission has proposed rules, has published them in the Florida Administrative Weekly, and has established a hearing date.

A hearing is scheduled to take place at 9:30 a.m. on January 9, 10, and 11, 1990. The hearing will be held in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee, Florida.

II. Rulemaking Hearing

A rulemaking hearing is governed by section 120.54, Florida Statutes, and by Chapter 25-22, Florida Administrative Code. Rule 25-22.016, Florida Administrative Code, states that the Commission will provide, upon written request, a public hearing for presentation of evidence, argument, and oral statements, within reasonable conditions, and limitations imposed by the Commission to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceeding.

III. Procedures to be Followed

In order to ensure a full discussion and understanding of the issues, parties are encouraged to send comments by December 20, 1989. These comments then will be included as an exhibit in the hearing. In addition to issues that participants wish to address, staff would like to see the following areas discussed:

- Rule 25-17.0825 1. How do you price as-available energy when the utility has no generation left to dispatch?

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2. In the current rule, as-available energy is priced before the sale of economy energy and after the purchase of economy energy. Does this language most accurately reflect the avoided cost of as-available energy?
- Rule 25-17.0832 1. In light of the potential differences in the risk of QFs, what are appropriate criteria to be specified in the standard offer contract which would protect the utility's ratepayers against the risk of a QF not delivering the contracted capacity and energy?
- Rule 25-17.0833 1. How should the Commission distinguish the electric utilities who are required to participate in the planning hearings?

The full Commission will participate in the rulemaking hearing. Send the comments to:

Mr. Steve Tribble
 Director, Records and Reporting
 Florida Public Service Commission
 101 East Gaines Street
 Tallahassee, Florida 32399-0870

Each person will have an opportunity to summarize his or her comments. All participants will have the opportunity to ask questions. Participants should be prepared to respond to questions regarding their prefiled position.

Staff will present its draft revision and discussion first. Other participants will follow. Staff and other interested parties will have the opportunity to respond to each others' comments.

IV. Post-Hearing

The Commission shall make available a transcript of the proceeding which shall be made available to the public at cost.

Within seven (7) days after the transcript being made available, any post-hearing written statements may be submitted to the Commission by any person participating in the proceeding and such statements shall be made a part of the record.

The key remaining steps in the current rulemaking schedule, which are subject to revision, are the following:

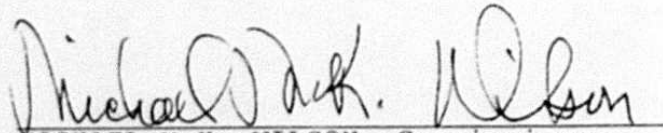
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--Proposed Final Version Issued	-	02/16/90
--Comments Due	-	03/09/90
--Staff Recommendation	-	03/22/90
--Agenda for Final Action	-	04/03/90
--Notice to JAPC	-	04/10/90
--File Rule	-	04/17/90
--Rule Effective	-	05/08/90

Based upon the foregoing, it is

ORDERED by Commissioner Michael McK. Wilson, that this Prehearing Order shall govern the conduct of these proceedings, as set forth above, unless modified by the Commission.

By ORDER of Commissioner Michael McK. Wilson, as Prehearing Officer, this 7th day of DECEMBER, 1989.


 MICHAEL MCK. WILSON, Commissioner
 and Prehearing Officer

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