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April 17, 1995

A Partnership Including Professional Corporations

Atlanta	Orlando
Fort Lauderdale	St. Petersburg
Jacksonville	Tampa
Lakeland	Washington, D.C.
Miami	West Palm Beach

D. BRUCE MAY
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VIA HAND DELIVERY

**ORIGINAL
FILE COPY**

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, FL 32301

Re: In re: Petition of Florida Power Corporation for determinatino that its plan for curtailing purchases from Qualifying Facilities in minimum load conditions is consistent with Rule 25-17.086, F.A.C., Docket No. 941101-EQ

Dear Ms. Bayo:

Enclosed for filing in the docket referenced above are the original and 15 copies of Auburndale Power Partners, Limited Partnership's Prehearing Statement. Also enclosed is a copy of the foregoing to be date stamped by you for our records.

Thank you for your consideration in this matter.

ACK ✓
 AFA _____
 AFP _____
 CA _____
 CM _____
 C _____
 E Future
 L 1 Enclosure
 L 5 DBM/kdw
 C _____
 C _____
 S 1
 V _____
 OIT _____

Sincerely,

HOLLAND & KNIGHT

D. Bruce May
D. Bruce May

TAL-51583

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 FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER DATE

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FPSC-RECORDS/REPORTING

Basic Position

APP takes no position at this time whether FPC's Plan complies and is consistent with Rule 25-17.086, Florida Administrative Code.

APP, however, believes that the curtailment priority system in the Plan is not unduly discriminatory.

Question of Fact

The sole question of fact that APP considers at issue at this time is the following:

Has FPC properly implemented the procedures set forth in the Plan during the curtailments that have occurred from October, 1994, to January 1, 1995?

No position at this time.

Question of Law

The sole question of law that APP considers at issue at this time is the following:

What is the permissible scope of Rule 25-17.086, Florida Administrative Code, as an implementation of Section 210 of PURPA?

No position at this time.

Mixed Questions of Fact and Law

The mixed questions of fact and law that APP considers at issue at this time include the following:

1. Has FPC adequately demonstrated that the conditions for curtailment outlined in its Plan comply with Commission Rule 25-17.086, Florida Administrative Code?

No position at this time.

2. Has FPC adequately demonstrated that it has attempted to mitigate any foreseeable imbalance between generation and load during minimum load conditions by committing the most appropriate combination of generation resources for the circumstances?

No position at this time.

3. Does the Plan properly require FPC to take all appropriate measures to decrease other sources of generation to mitigate any imbalance between generation and load?

No position at this time.

4. Does the Plan properly require FPC to take all appropriate measures to increase sales to mitigate any imbalance between generation and load?

No position at this time.

5. Has FPC adequately demonstrated that the procedures for curtailment outlined in its Plan are reasonable and appropriate?

No position at this time.

6. Has FPC adequately demonstrated that its proposed plan allocates justifiable curtailments among QFs in a fair and not discriminatory manner?

APP believes that FPC's Plan, as currently structured, is fair and not unduly discriminatory.

7. Has FPC adequately demonstrated that the curtailments that have occurred from October 1, 1994, through January 1, 1995, were necessary to avoid negative avoided costs?

No position at this time.

Mixed Question of Law and Policy

The sole mixed question of law and policy that APP considers at issue at this time is the following:

Should the Commission approve FPC's Plan as being in compliance with Rule 25-17.086?

No position at this time.

Issues Stipulated to By the Parties

None at this time.

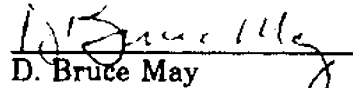
Pending Motions or Matters APP Seeks Action Upon

None at this time.

Requirements that APP Cannot Comply With.

At this time, APP can comply with all of the requirements set forth in Order No. PSC-94-1523-PCO-EQ as modified by Order No. PSC-95-0071-PCO-EQ and Order No. PSC-95-0310-PCO-EQ.

Respectfully submitted,



D. Bruce May

Florida Bar No. 354473

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of APP's Prehearing Statement was furnished by U.S. Mail to the following on April 17, 1995:

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