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FPC COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power Corporation for determination 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
FILED: 5/05/95

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MAY 5 1995

ORANGE COGENERATION LIMITED PARTNERSHIP'S
POSITIONS ON REVISED PREHEARING ISSUES RECORDS/REPORTING

Orange Cogeneration Limited Partnership ("Orange Cogeneration") hereby files its positions on prehearing issues as revised at the prehearing conference in this docket.

STATEMENT OF BASIC POSITION: Orange Cogeneration Limited Partnership has no objection to FPC's proposed curtailment plan, given Orange Cogeneration's understanding that the plan requires FPC to take its peaking and intermediate generating units off-line before curtailing QF purchases, unless a particular unit is required for system stability. Orange Cogeneration believes that the plan allocates justifiable curtailments among QF's in a fair and not unduly discriminatory manner.

- ACK
- AFA
- APP
- CAF
- CMU
- CTR

ISSUES

- LEG 1.1 Has Florida Power corporation adequately demonstrated that the minimum load conditions for curtailment outlined in its plan comply with Commission Rule 25-17.086, Florida Administrative Code?
- OPC
- ECM: ORANGE COGENERATION: Orange Cogeneration does not object to FPC's curtailment plan.
- SHEP 1
- WYS: 2 Has Florida Power Corporation adequately demonstrated that its plan incorporates all appropriate measures to mitigate the need for curtailment during minimum load conditions?
- OTH

ORANGE COGENERATION: Given Orange Cogeneration's position in Issue 2B, Orange Cogeneration does not object to FPC's curtailment plan.

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FPSC-RECORDS/REPORTING

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EPSC-BUREAU OF RECORDS

- A. Has Florida Power Corporation 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?

ORANGE COGENERATION: Orange Cogeneration does not object to FPC's curtailment plan.

- B. Does the proposed curtailment plan properly require Florida Power Corporation to take all appropriate measures to decrease other sources of generation to mitigate any imbalance between generation and load?

ORANGE COGENERATION: Orange Cogeneration understands that FPC's curtailment plan requires FPC to take its peaking and intermediate generating units off-line before curtailing QF purchases, unless a particular unit is required for system stability. Therefore, Orange Cogeneration does not object to FPC's curtailment plan.

- C. Does the proposed curtailment plan properly require Florida Power Corporation to take all appropriate measures to increase sales to mitigate any imbalance between generation and load?

ORANGE COGENERATION: Orange Cogeneration does not object to FPC's curtailment plan.

3. Has Florida Power Corporation adequately demonstrated that the procedures for curtailment outlined in its plan are reasonable and appropriate?

ORANGE COGENERATION: Orange Cogeneration does not object to FPC's curtailment plan.

4. Has Florida Power Corporation adequately demonstrated that its proposed plan allocates justifiable curtailments among QF's in a fair and not unduly discriminatory manner?

ORANGE COGENERATION: Yes.

5. If the procedures set forth in Florida Power Corporation's curtailment plan are consistent with Rule 25-17.086, Florida Administrative Code, did Florida Power Corporation properly implement the procedures during the curtailments that occurred from October, 1994 through January, 1995?

ORANGE COGENERATION: Orange Cogeneration does not object to FPC's implementation of its curtailment plan during the

curtailments that occurred from October, 1994 through January, 1995.

6. Has Florida Power Corporation adequately demonstrated that the curtailments that have occurred from October 1, 1994, through January 31, 1995, were necessary to avoid negative avoided costs?

ORANGE COGENERATION: Orange Cogeneration does not object to FPC's curtailments from October, 1994 through January, 1995.

- A. In determining whether purchases of firm QF's generation during an operational circumstance that satisfies Rule 25-17.086 would cause FPC to incur costs greater than the costs FPC would incur if FPC supplied the energy, what costs are appropriate to consider?

ORANGE COGENERATION: No position at this time.

- B. In determining whether purchases of firm QF's generation during an operational circumstance that satisfies Rule 25-17.086 would cause FPC to incur costs greater than FPC would incur if FPC supplied the energy, what is the appropriate time frame to measure?

ORANGE COGENERATION: No position at this time.

LEGAL ISSUE

7. What is the permissible scope of Rule 25-17.086, Florida Administrative Code, in view of the federal standards of 18 CFR Sec. 292.304 implementing Section 210 of PURPA?

ORANGE COGENERATION: No position at this time.

8. Should the Commission approve Florida Power Corporation's curtailment plan as being in compliance with Rule 25-17.086, Florida Administrative Code?

ORANGE COGENERATION: Yes, with the proviso that FPC must take its peaking and intermediate generating units off-line before curtailing QF purchases, unless a particular unit is required for system stability.

Respectfully submitted this 5th day of March, 1995.



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CERTIFICATE OF SERVICE

Docket No. 941101-EQ

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