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FILE COPY**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

TESTIMONY OF JOSEPH BRINSON

ON BEHALF OF PANDA-KATHLEEN, L.P.

DOCKET NO. 950110-EI

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG *Waff*
- LEG *to*
- LIN *orig 8 x 5*
- OPC \_\_\_\_\_
- RCM \_\_\_\_\_
- SEC *J*
- WAS \_\_\_\_\_
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6

**Q. Please state your name, profession, and business address.**

7

A. My name is Joseph Brinson. I am the Site Manager of Panda-Brandywine, L.P.'s cogeneration facility, which is being developed by Panda Energy International, Inc. Panda Energy International, Inc., is engaged in the development and operation of cogeneration facilities. Prior to taking my present position at Panda-Brandywine, L.P., I worked on the planning of the cogeneration plant to be constructed by Panda-Kathleen, L.P. Panda-Kathleen, L.P. is engaged in the development of a qualified cogeneration facility in Lakeland, Florida pursuant to a contract between Panda-Kathleen, L.P. and Florida Power Corporation. My business address is 16400 Mattawoman Drive, Brandywine, Maryland 20613.

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**Q. State briefly your educational and professional background.**

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A. I graduated from North Georgia College with a B.S. in Business Administration. I joined Panda in 1985. In 1989, I became the project manager during construction of the Panda-Rosemary L.P. plant in Roanoke Rapids, North

25

26

27

1 Carolina. I became the Plant Manager of that facility in  
2 1990, and remained there until assuming my current  
3 position.

4

5 **Q. On whose behalf are you appearing in this proceeding?**

6

7 **A.** I am appearing on behalf of Panda-Kathleen, L.P.

8

9 **Q. Please describe your duties with Panda Energy**  
10 **Corporation.**

11

12 **A.** I am the Site Manager of Panda-Brandywine, L.P., and I am  
13 responsible for the construction of that plant. I have  
14 held that position since March of 1992.

15

16 **Q. What position did you hold prior to becoming plant**  
17 **manager at Panda-Brandywine?**

18

19 **A.** I was Project Manager at Panda Energy Corporation, and I  
20 was involved in the planning of the Panda-Kathleen  
21 facility during part of 1992.

22

23 **Q. Did you have any meetings or discussions with FPC as part**  
24 **of your job duties?**

25

1 A. Yes. I had several meetings with FPC employees in  
2 Florida while working on the planning of the Panda-  
3 Kathleen project.

4

5 Q. Did you ever have any discussions with FPC employees  
6 regarding the planned size of the Panda-Kathleen plant?

7

8 A. I had discussions with FPC regarding plant size on at  
9 least two separate occasions. During the week of April  
10 15, 1992, Don Kinney and I met with Bob Dolan, Alan Keith  
11 and David Gammon of FPC to discuss planning issues for  
12 the Panda-Kathleen project. We discussed whether FPC  
13 would purchase the energy produced in excess of 74.9 MW  
14 by the plant. FPC stated that they would purchase  
15 additional energy above 74.9 MW committed capacity if  
16 Panda wanted to provide it from the Panda-Kathleen Plant.  
17 Notes of that meeting are attached as Exhibit "A".

18

19

20 Q. Any other discussions with FPC on the plant size issue?

21

22 A. On May 1, 1992, I again met with Bob Dolan, Alan Keith  
23 and David Gammon to discuss various issues, including a  
24 proposal to build a 110 MW facility to meet Panda-  
25 Kathleen's 74.9 MW committed capacity obligation. Bob  
26 Dolan told me that the size was not a problem to FPC, but  
27 that we should not talk with the Florida Public Service

1                    commission on installing a 110 MW plant, and that we  
2                    should be careful dealing with the Public Service  
3                    Commission while ARK energy was still challenging the  
4                    FPC/Panda contract. A report of that meeting is attached  
5                    as Exhibit "B".

6

7                    **Q. Did you have any other contact with FPC on this issue?**

8

9                    A. No. Late in 1992, I was reassigned to work solely on the  
10                    Brandywine project.

11

12                    **Q. Does this conclude your testimony?**

13

14                    A. Yes.

Joseph C. Brinson

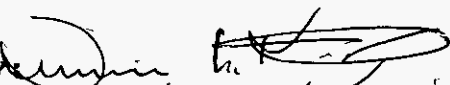
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STATE OF MARYLAND )  
COUNTY OF Charles )

SS: 311-38-0525

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 1996 by Joseph Brinson. He is personally known me, and did take an oath.

[NOTARIAL SEAL]

Notary   
Print Name: James C. B. 1997  
Notary Public, State of Maryland

My commission expires:  
7-1-97

FPSC DOCKET NO. 950110-EI  
EXHIBIT NO. \_\_\_\_\_ JCB-1

# PANDA-ROSEMARY LIMITED PARTNERSHIP

Panda-Rosemary Corporation, General Partner • A Panda Company



## MEMO

Docket 95-0110-EI

**JOSEPH BRINSON**

Exhibit No. JCB-1

Sheet 1 of 2

To: Bob Carter/Hans van Kuilenburg

From: Joe Brinson

Date: April 21, 1992

SUBJECT: JOE B.'S & DON K.'S TRIP TO LAKELAND & FPC

=====

1. Lakeland, April 15-16, 1992

Don and I met on Wednesday morning with Gary Lawrence, Manager - Rates & Regulatory Affairs; Bob Reedy, Director - Engineering and Operations, and Kemp Smith, Director - Corporate Planning. The meeting was a courtesy call to introduce me. They asked if Panda would use a 69kV built by them to wheel our power to FPC. I told them their rate is too high, to please reassess. They stated another cogenerator is talking with them on wheeling, and they would look at a fixed wheeling rate with escalator. Don and I think it will still be too expensive for Panda to use.

2. Florida Power Corporation

Met with Bob Dolan, Manager - Cogeneration Contracts & Administration; David Gammon, Senior Cogeneration Engineer and Alan Keith, Senior Planning Engineer.

- a. FPC prefers to design, build and operate substation.
- b. Construction payment - they will bill on a monthly basis, and we can take up to 36 months to pay, plus interest.
- c. FPC will work up a cost estimate for substation (60-90 days) and submit to Panda; it will take two (2) years to complete station.
- d. FPC will do an REI on transmission line to determine preferred routing for Panda.
- e. Will tell Panda if they want/can/will build, and cost for FPC to build transmission line.
- f. Wants Panda to try to acquire land for station and transmission line if FPC builds. They don't want to be a target unless they have to be.



- g. Discussed putting our gas line on FPC's 230kV ROW. They gave us forms to fill out. Don K. will complete. FPC possibly will put a gas line in the same ROW.
  - h. They want five (5) acres for a substation. Tom B. to see if we can acquire at Gainesboro Road and I-4.
  - i. FPC will take additional energy if we want to provide from our facility. Darol is running new numbers to see if Rob thinks he can get financed.
- 3. Met with Terry Stewart, EDG/Stewart & Stevenson, and showed him site and reviewed bid with him.
  - 4. Met with Larry Becker, Zurn/NEPCO, and showed him site and reviewed bid with him. Also visited their site at Dade City, FL, where they are installing two (2) LM 6000's.

cc: Rob Wolf  
Don Kinney  
Tom Bagby  
Darol Lindloff  
Mark Bentley

FPSC DOCKET NO. 950110-EI  
EXHIBIT NO. \_\_\_\_\_ JCB-2

PANDA-ROSEMARY LIMITED PARTNERSHIP

Panda-Rosemary Corporation, General Partner • A Panda Company



MEMO

Docket 95-0110-EI

JOSEPH BRINSON

To: Bob Carter/Hans van Kuilenburg

Exhibit No. JCB-2

From: Joe Brinson

Sheet 1 of 2

Date: ~~May 5, 1992~~ *[Signature]*

SUBJECT: TRIP REPORT FOR WEEK OF APRIL 28-MAY 1, 1992

The following was accomplished during the subject trip:

1. Visited with Jim Clarkson, Corporate Energy Manager with Southwire Company, on April 29. Jim told me they had bid Oglethorpe peakers, but were not successful. They want to bid the next Oglethorpe solicitation expected out the end of this year or first of 1993. This will be for peaking, but Oglethorpe will need capacity in 1998. He also stated that they want to partner with someone. Southwire buys power from Oglethorpe, so they have some stroke. Also Southwire has plants in Arizona, South Carolina, Kentucky, Arkansas, Illinois, Mississippi, Connecticut and Georgia.

2. On Thursday, April 30, Janice, Tom and I had lunch with the City of Lakeland and Polk County officials. They are pro cogeneration, and are willing to help. Since our project is in the County, I will set up a meeting with the Polk County Administrator and his staff the latter part of May for ECT, our attorney and me, for the purpose of reviewing permits, zoning, and determining where they can help us. Overall, we had a great meeting.

I then rode the transmission line ROW we plan to use for the gas line, and got structure numbers so I could get from FPC the plan and profile for that section of line. Met with Al Pfund, our realtor, and told him the land for the switching station was priority.

3. On Friday, May 1, I met with Alan Keith, David Gammon and Bob Doland of Florida Power Corp. I gave them the Erly Juice plat. They gave me a copy of the plan and profile of their transmission line for us to indicate where we want to place the gas line.

Bob told me the PUC hearing will be held June 29th (Ark Energy). Bob stated we need to talk with the PUC on installing the 110 MW facility, but suggested with the hearing coming up we should be careful what we say, as the PUC could use this as an easy way out for them. Now that FPC has the plat, they will review the site and area for transmission line routing and the switching station location.

David also asked that we send him a facility layout and electrical one line when available.

cc: Rob Wolf  
Ed Gwynn  
Darol Lindloff  
Tom Bagby  
Don Kinney  
Mark Bentley