

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Joint Petition for)
Determination of Need for the) DOCKET NO. 001748-EC
Osprey Energy Center in)
Polk County by Seminole) FILED: JANUARY 8, 2001
Electric Cooperative, Inc.,)
and Calpine Construction)
Finance Company, L.P.)
_____)

MOTION FOR LEAVE TO FILE AMENDED JOINT PETITION FOR
DETERMINATION OF NEED FOR AN ELECTRICAL POWER PLANT

Seminole Electric Cooperative, Inc. ("Seminole") and Calpine Construction Finance Company, L.P., ("Calpine") pursuant to Rule 28-106.202, Florida Administrative Code ("F.A.C."), hereby move the Florida Public Service Commission ("Commission") for leave to file an Amended Joint Petition for Determination of Need for an Electrical Power Plant (the "Amended Joint Petition") for the Osprey Energy Center. (The Amended Joint Petition is being filed concurrently with this motion.) In support of this motion, Seminole and Calpine say:

1. On December 4, 2000, Seminole and Calpine filed a Joint Petition for Determination of Need for an Electrical Power Plant (the "Joint Petition") initiating this docket.

2. Rule 28-106.202, F.A.C., provides that after designation of a presiding officer, a petitioner may amend a petition "upon order of the presiding officer." Seminole and Calpine are seeking leave from the Commission to (a) amend the Joint Petition to delete certain allegations that are unnecessary to the issues to be

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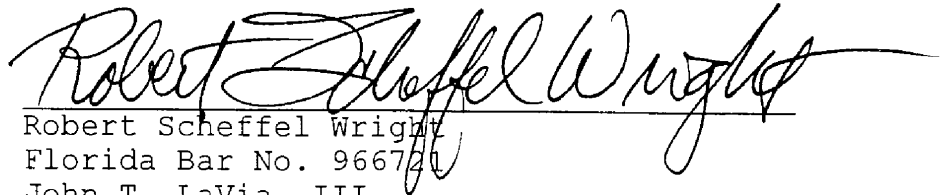
determined in this proceeding; (b) update the Joint Petition to include references to the Power Purchase Agreement ("PPA") entered into by Calpine and Seminole on December 14, 2000;¹ and (c) correct certain minor scrivener's errors contained in the Joint Petition.

3. The Commission should grant Seminole's and Calpine's motion for leave to file an Amended Joint Petition because the Amended Joint Petition will allow the Commission to make its determination based on the most current factual information available to Seminole and Calpine. Moreover, allowing Seminole and Calpine to file the Amended Joint Petition will narrow the issues in the proceeding which in turn will conserve Commission resources.

WHEREFORE, Seminole Electric Cooperative, Inc., and Calpine Construction Finance Company, L.P., respectfully request that the Commission grant their request for leave to file an Amended Joint Petition for Determination of Need for an Electrical Power Plant.

¹ Seminole, with the agreement and consent of Calpine, is concurrently filing an unredacted copy of the PPA subject to a request for confidential treatment and protective order.

Respectfully submitted this 8th day of January, 2001.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery (*), or U.S. Mail, on this 8th day of January, 2001, to the following:

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