

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for
determination of need for the
Osprey Energy Center in Polk
County by Seminole Electric
Cooperative and Calpine
Construction Finance Company,
L.P.

DOCKET NO. 001748-EC
ORDER NO. PSC-01-0120-PCO-EC
ISSUED: January 17, 2001

ORDER GRANTING MOTION FOR LEAVE TO FILE AMENDED JOINT PETITION

On January 8, 2001, Seminole Electric Cooperative, Inc. (Seminole) and Calpine Construction Finance Company, L.P. (Calpine) filed a Motion for Leave to File Amended Joint Petition for Determination of Need for an Electrical Power Plant in Docket 001748-EC. Seminole and Calpine request that the Commission allow them to amend their December 4, 2000, Petition for Determination of Need. There are no intervenors in this docket.

Seminole and Calpine seek to amend the Joint Petition to delete certain allegations that they believe are unnecessary to the issues to be determined in this proceeding; to update the Joint Petition to include references to the Power Purchase Agreement (PPA) entered into by Calpine and Seminole on December 14, 2000; and to correct minor scrivener's errors contained in the Joint Petition.

Rule 28-106.202, Florida Administrative Code, provides that after the designation of a presiding officer, a petitioner may amend a petition "only upon order of the presiding officer." Granting the request will enable the Commission to make its decision based on the most current factual information. Therefore, good cause having been shown, Seminole and Calpine's request to amend the Joint Petition is granted.

Based on the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Seminole Electric Cooperative, Inc. and Calpine Construction Finance Company, L.P.'s Motion for Leave to File Amended Joint

DOCUMENT NUMBER-DATE

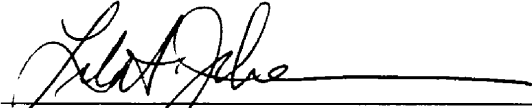
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PSC-RECORDS/REPORTING

ORDER NO. PSC-01-0120-PCO-EC
DOCKET NO. 001748-EC
PAGE 2

Petition for Determination of Need for an Electrical Power Plant is granted.

By ORDER of Commissioner Lila A. Jaber as Prehearing Officer, this 17th Day of January, 2001.



LILA A. JABER
Commissioner and Prehearing Officer

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for

ORDER NO. PSC-01-0120-PCO-EC

DOCKET NO. 001748-EC

PAGE 3

reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.