



Public Service Commission

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RECORDS AND REPORTING

DATE: May 22, 2000

TO: Division of Records and Reporting (Flynn)

FROM: Division of Legal Services (C. Keating, Isaac, Stern) *WPK*
Division of Safety and Electric Reliability (Haff, Brennan, Colson, Futrell, Ballinger) *CNE*
Division of Economic Regulation (Lester) *WKS*
Division of Competitive Services (Makin) *MSA*

RE: Docket No. 991462-EU - Petition for Determination of Need for an Electrical Power Plant in Okeechobee County by Okeechobee Generating Company, L.L.C.

Docket No. 000288-EU - Petition for Determination of Need for an Electrical Power Plant in Lake County by Panda Leesburg Power Partners, L.P.

Docket No. 000289-EU - Petition for Determination of Need for an Electrical Power Plant in St. Lucie County by Panda Midway Power Partners, L.P.

Docket No. 000612-EU - Petition for Determination of Need for an Electrical Power Plant in St. Lucie County by Duke Energy St. Lucie, L.L.C.

At the May 1, 2001, Agenda Conference, the Commission ruled that the above-referenced dockets continue to be held in abeyance pending the enactment of any legislation, during the Florida Legislature's 2001 Regular Session, that would make "merchant plants" proper applicants for a determination of need. (The Commission's decision is memorialized in Order No. PSC-01-1142-PCO-EU, issued May 21, 2001.) The Commission further ruled that these dockets should be administratively closed if no such legislation was passed during the 2001 Regular Session. No such legislation was passed during the 2001 Regular Session, which ended May 4, 2001. Therefore, the above-referenced dockets should be administratively closed.

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