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State of Florida



Public Service Commission  
-M-E-M-O-R-A-N-D-U-M-

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**DATE:** June 19, 2001  
**TO:** John Haswell, Jeffrey Stone and Other Interested Persons  
**FROM:** Marlene Stern, Division of Legal Services *MKS*  
**RE:** Docket No. 010441-EU - Summary of discussion at issue identification meeting

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An Issue identification meeting in Docket No. 010441-EU was held on June 15, 2001. A list of attendees is attached. Each issue discussed at the meeting, and the positions of staff and the parties on each issue is provided below. These issues may change as testimony is filed and as discovery proceeds.

1. What are the boundaries of the service area that is the subject of this territorial dispute?

- Scope of issue: establish geographic limits.
- Legal description of the disputed area and maps of the disputed area.
  - Written description and maps of existing electric facilities (generation, transmission, and distribution) serving the disputed area and/or immediately in the vicinity of the disputed area.

All parties agree on this issue.

2. What conditions have caused the dispute?

- Scope of issue: establish a chronology of each party's activities leading up to the dispute.
- History of meetings, communications, and other events with prospective customers in the disputed area.
  - History of meetings, written communications, and other events with existing customers in the disputed area, ~~within the past two years.~~
  - What did each utility offer the new/existing customer(s) and when?
  - All activities such as installation of electric facilities and rights-of-way acquisition activities undertaken to serve the disputed area.

All parties agree on this issue. There was some discussion

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about how far back in time the parties could go in describing the conditions that caused the dispute. Staff explained that there was no time limit and that the "two years" was there for discussion purposes, and not intended to be a limitation.

**3. What is the existing and planned load to be served in the disputed area?**

Scope of issue: establish the load criteria used by the company in its evaluation of the disputed area.

- What has been the historical load and growth in the disputed area?

- What is the expected load and growth for the foreseeable future in the disputed area?

- What is the projected load within the disputed area?

All parties agree on this issue.

**4. What is the estimated cost for electric utility facilities to adequately and reliably serve the planned load in the disputed area?**

Scope of issue: establish the total cost for each utility's planned additions deemed necessary to meet the projected future load in the disputed area. What are the types of costs?

Staff and West Florida agree on this issue. Gulf objects to the issue because it has concerns about the phrase "electric utility facilities."

**5. Are the planned electrical facility additions and other utility services to be provided within the disputed area reasonably expected to cause a decline in the reliability of service to existing and future utility customers?**

All parties agree on this issue. West Florida wanted to clarify whether evidence of increases in reliability could be introduced under this issue. Staff said that evidence increases in reliability could be introduced under this issue. Gulf did not state any objection to introducing such evidence under this issue.

**6. What is the nature of the disputed area with respect to its population, the type of utilities seeking to serve it, degree of urbanization, proximity to other urban areas, and the present and reasonably foreseeable future requirements of the area for other utility services?**

All parties agree on this issue.

7. What utility does the customer prefer to serve the disputed area?

All parties agree.

8. Will the actions of either West Florida or Gulf cause uneconomic duplication of electric facilities with regard to serving the load in the disputed area?

Staff and West Florida agree on this issue. Gulf objects to the word "cause" and would substitute the phrase "constitute the further."

9. Does West Florida have the right of access, through its wholesale power provider or otherwise, to the same transmission facilities that Gulf proposes to tie into to provide service to the disputed area?

Staff and West Florida agree. Gulf objects because it believes the issue is outside the Commission's jurisdiction.

cc: Division of Safety and Electric Reliability

010441-EU ISSUE IDENTIFICATION MEETING

JUNE 15, 2001

ATTENDEES

WFEC

John Haswell  
Frank Bondrant

AEC

Jeff Parish  
Damon Morgan

CH Guernsey

Mark Cicchetti  
Michael Moore

Enron

Natalie Futch

Gulf

Russell Badders  
Ted Spangenberg  
Mike Dunn  
Vincent Andrew