

ORIGINAL

NOTICE OF PROPOSED RULE DEVELOPMENT FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE: Contents of the Petition
RULE NO.: 25-22.081

PURPOSE AND EFFECT: To implement Section 43, Chapter 2006-230, Laws of Florida, amending Section 403.519(4), Florida Statutes, requiring the Commission to consider certain factors when determining the need for a nuclear power plant.

SUBJECT AREA TO BE ADDRESSED: Need determination proceedings for nuclear plants.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1), FS

LAW IMPLEMENTED: 403.519(4), FS

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: Wednesday, October 18, 2006 – 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical

MP _____ impairment should call the Division of the Commission Clerk and Administrative Services at

OM _____ (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech

TR _____ impaired should contact the Florida Public Service Commission by using the Florida Relay

CR _____ Service, which can be reached at: 1-800-955-8771 (TDD).

PC _____ THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE

CA _____ DEVELOPMENT IS: James McRoy, Division of Economic Regulation, Florida Public Service

GA _____ Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850) 413-7009.

SEC 1 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

DTH _____

DOCUMENT NUMBER-DATE

08643 SEP 20 06

FPSC-COMMISSION CLERK

25-22.081 Contents of Petition.

(1) Petition for Fossil or Nuclear Fuel Electric Plants.

Petitions submitted to commence a proceeding to determine the need for a proposed fossil or nuclear fuel electrical power plant or responses to the Commission's order commencing such a proceeding shall comply with the other requirements of Chapter 25-22, F.A.C., as to form and style except that a utility may, at its option, submit its petition in the same format and style as its application for site certification pursuant to Sections 403.501 through 403.517, Florida Statutes, so long as the informational requirements of this rule and Chapter 25-22, F.A.C., are satisfied. The petition, to allow the Commission to take into account the need for electric system reliability and integrity, the need for adequate reasonable cost electricity, the need for fuel diversity and supply reliability, and the need to determine whether the proposed plant is the most cost effective alternative available, shall contain the following information:

- (a1) A general description of the utility or utilities primarily affected, including the load and electrical characteristics, generating capability, and interconnections.
- (b2) A general description of the proposed electrical power plant, including the size, number of units, fuel type and supply modes, the approximate costs, and projected in-service date or dates.
- (c3) A statement of the specific conditions, contingencies or other factors which indicate a need for the proposed electrical power plant including the general time within which the generating units will be needed. Documentation shall include historical and forecasted summer and winter peaks, number of customers, net energy for load, and load factors with a discussion of the more critical operating conditions. Load forecasts shall identify the model or models on which they were based and shall include sufficient detail to permit analysis of the model or models. If a determination is sought on some basis in addition to or in lieu of capacity needs, such as fuel

~~diversity oil blackout~~, then detailed analysis and supporting documentation of the costs and benefits is required.

(~~d~~4) A summary discussion of the major available generating alternatives which were examined and evaluated in arriving at the decision to pursue the proposed generating unit. The discussion shall include a general description of the generating unit alternatives, including purchases where appropriate; and an evaluation of each alternative in terms of economics, reliability, long-term flexibility and usefulness and any other relevant factors. These major generating technologies generally available and potentially appropriate for the timing of the proposed plant and other conditions specific to it shall be discussed. In addition, each investor-owned utility shall include a detailed description of the selection process used and a detailed description of the generating unit alternatives proposed by each finalist, if any, selected to participate in subsequent contract negotiations pursuant to Rule 25-22.082, F.A.C. No provision of Rule 25-22.082, Florida Administrative Code, shall be applicable to a nuclear power plant sited after June 19, 2006.

(~~e~~5) A discussion of viable nongenerating alternatives including an evaluation of the nature and extent of reductions in the growth rates of peak demand, KWH consumption and oil consumption resulting from the goals and programs adopted pursuant to the Florida Energy Efficiency and Conservation Act both historically and prospectively and the effects on the timing and size of the proposed plant.

(~~f~~6) An evaluation of the adverse consequences which will result if the proposed electrical power plant is not added in the approximate size sought or in the approximate time sought.

(~~g~~7) If the generation addition is the result of a purchased power agreement between an investor-owned utility and a nonutility generator, the petition shall include a discussion of the potential for increases or decreases in the utility's cost of capital, the effect of the seller's financing

arrangements on the utility's system reliability, any competitive advantage the financing arrangements may give the seller and the seller's fuel supply adequacy.

(2) In addition to complying with (1)(a) through (g) above, a nuclear plant petition shall contain the following information:

(a) A description of how the proposed nuclear power plant will enhance the reliability of electric power production within the state by improving the balance of power plant fuel diversity and reducing Florida's dependence on fuel oil and natural gas.

(b) A description of and a nonbinding estimate of the cost of the nuclear power plant.

(c) The annualized base revenue requirement for the first 12 months of operation of the nuclear power plant.

Specific Authority: 350.127(2), 366.05(1) FS.

Law Implemented: 403.519 FS.

History—New 12-22-81, Formerly 25-2.133, 25-22.81, Amended 1-10-94,_____.

I:\FAW-notices\Rule25-22.doc

Submit FAW Notices

Step 5: Acknowledgement of Submittal

The Administrative Code and Weekly Unit has received your notice for publication in the FAW.

A confirmation number has been provided below which may be used to reference this submittal in any communications with the Unit. Use the your browser 'Print' button or the 'Print this Acknowledgement' button at the bottom of this page to generate a receipt for your records. A record of this transmittal will be maintained for approximately 30 days and may be accessed from the 'Submittal Listing' item in the FAW Online menu on the left of this page.

Confirmation No	Rule5158
Submitted On	9/20/2006 9:23:22 AM
FAW Pub Date	9/29/2006
Volume/Number	32/39
Notice Section	Rule Development
Payment Method	Blanket Purchase Order
PO #	600037
Department	Public Service Commission
Division	
Organization	
SAMAS Account	
Billing Address	2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850
Contact	Rose Thompson 850-413-6770 rthomps@psc.state.fl.us
Submitted File	I:\FAW-notices\Rule25-22.doc
Notice Text	
Comments	

Print this Acknowledgement