

ORIGINAL
STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW
KEN LITTLEFIELD



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199
RECEIVED-FPSC
07 JAN 23 AM 10:37

COMMISSION
CLERK

Public Service Commission

January 23, 2007

HAND DELIVER

Mr. Scott Boyd, Executive Director
Joint Administrative Procedures Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

RE: Docket No. 060755-EU – Proposed Amendment of Rule 25-22.081, F.A.C.

Dear Mr. Boyd:

The Commission has approved the adoption of Rule 25-22.081, without changes.

We plan to file the rule for adoption on January 31, 2007.

Sincerely,

A handwritten signature in cursive script that reads "David E. Smith".

David E. Smith
Attorney Supervisor

Enclosure

c: Division of the Commission Clerk
and Administrative Services

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH _____

DOCUMENT NUMBER-DATE

00590 JAN 23 07

FPSC-COMMISSION CLERK

1 **25-22.081 Contents of Petition.**

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

13 (a~~1~~) A general description of the utility or utilities primarily affected, including the
14 load and electrical characteristics, generating capability, and interconnections.

15 (b~~2~~) A general description of the proposed electrical power plant, including the size,
16 number of units, fuel type and supply modes, the approximate costs, and projected in-service
17 date or dates.

18 (c~~3~~) A statement of the specific conditions, contingencies or other factors which
19 indicate a need for the proposed electrical power plant including the general time within which
20 the generating units will be needed. Documentation shall include historical and forecasted
21 summer and winter peaks, number of customers, net energy for load, and load factors with a
22 discussion of the more critical operating conditions. Load forecasts shall identify the model or
23 models on which they were based and shall include sufficient detail to permit analysis of the
24 model or models. If a determination is sought on some basis in addition to or in lieu of
25 capacity needs, such as fuel diversity ~~oil blackout~~, then detailed analysis and supporting

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 documentation of the projected costs and benefits is required. Where a determination is
2 sought for a nuclear power plant, the nonbinding estimate provided for in paragraph (2)(b)
3 below shall be considered to be sufficient for purposes of this paragraph.

4 (d4) A summary discussion of the major available generating alternatives which were
5 examined and evaluated in arriving at the decision to pursue the proposed generating unit. The
6 discussion shall include a general description of the generating unit alternatives, including
7 purchases where appropriate; and an evaluation of each alternative in terms of economics,
8 reliability, long-term flexibility and usefulness and any other relevant factors such as fuel
9 diversity and fuel supply reliability. These major generating technologies generally available
10 and potentially appropriate for the timing of the proposed plant and other conditions specific
11 to it shall be discussed. In addition, each investor-owned utility shall include a detailed
12 description of the selection process used and a detailed description of the generating unit
13 alternatives proposed by each finalist, if any, selected to participate in subsequent contract
14 negotiations pursuant to Rule 25-22.082, F.A.C. No provision of Rule 25-22.082, F.A.C.,
15 shall be applicable to a nuclear power plant sited after June 19, 2006.

16 (e5) A discussion of viable nongenerating alternatives including an evaluation of the
17 nature and extent of reductions in the growth rates of peak demand, KWH consumption and
18 oil consumption resulting from the goals and programs adopted pursuant to the Florida Energy
19 Efficiency and Conservation Act both historically and prospectively and the effects on the
20 timing and size of the proposed plant.

21 (f6) An evaluation of the adverse consequences which will result if the proposed
22 electrical power plant is not added in the approximate size sought or in the approximate time
23 sought.

24 (g7) If the generation addition is the result of a purchased power agreement between an
25 investor-owned utility and a nonutility generator, the petition shall include a discussion of the

CODING: Words underlined are additions; words in ~~struck-through~~ type are deletions
from existing law.

1 potential for increases or decreases in the utility's cost of capital, the effect of the seller's
2 financing arrangements on the utility's system reliability, any competitive advantage the
3 financing arrangements may give the seller and the seller's fuel supply adequacy.

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

6 (a) The description required by section 403.519(4)(a)2, F.S., including a discussion
7 about how the proposed nuclear power plant will enhance the electric supply reliability by
8 reducing the exposure to fossil fuel supply disruptions;

9 (b) A description of and a nonbinding estimate of the cost of the proposed nuclear
10 power plant, including associated transmission facilities;

11 (c) The annualized base revenue requirement for the first 12 months of operation of the
12 proposed nuclear power plant, based on the nonbinding estimate of the cost provided pursuant
13 to (2)(b) above; and

14 (d) A summary of any discussions with other electric utilities regarding ownership of
15 a portion of the plant by such electric utilities.

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

17 Law Implemented 403.519 FS.

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

19

20

21

22

23

24

25

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.