

MEMORANDUM

FEBRUARY 2, 1999

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (ELIAS) **RVE**

RE: DOCKET NO. 990004-EU - PLANNING HEARINGS ON LOAD
FORECASTS, GENERATION EXPANSION PLANS, AND COGENERATION
PRICES FOR FLORIDA'S ELECTRIC UTILITIES

99-0188-~~P60~~

Attached is an Order Closing Docket, with attachments, to be issued in the above-referenced docket. (Number of pages in order - 3)

RVE/js
Attachment
cc: Division of Electric and Gas (Haff)
I:990004or.rve

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Planning hearings on load forecasts, generation expansion plans, and cogeneration prices for Florida's electric utilities.

DOCKET NO. 990004-EU
ORDER NO. PSC-99-0188-PCO-EU
ISSUED: February 3, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

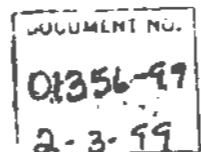
ORDER CLOSING DOCKET

BY THE COMMISSION:

Rule 25-17.0833, Florida Administrative Code, was repealed effective June 9, 1997. This rule provided for annual planning hearings resulting in a Statewide Avoided Unit for pricing cogeneration. However, we determined that this rule was unnecessary since the annual Ten-Year Site Plan workshops have taken the place of docketed annual planning hearings.

Prior to its repeal, Rule 25-17.0833, Florida Administrative Code, provided:

(1) Upon petition or on its own motion, the Commission shall periodically review optimal generation and transmission plans from a statewide and individual utility perspective. In connection with these proceedings, the Commission shall consider the need for capacity from both a statewide and individual utility perspective, the adequacy of the transmission grid, and other strategic planning concerns affecting the Florida electric grid.



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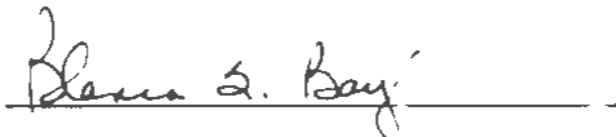
(2) Upon petition, or on its own motion, the Commission, as needed, shall review individual utility generation and expansion plans at any time.

Docket No. 990004-EU was reserved as a forum, if needed, to decide matters pertaining to annual planning hearings. With the repeal of Rule 25-17.0833, Florida Administrative Code, the annual Ten-Year Site Plan workshop fulfills the need to review utility planning activities. We can, if necessary, open a docket at any time to address issues arising from the Ten-Year Site Plan workshops. For example, we recently opened Docket No. 981890-EU to investigate the aggregate planned reserve margins for Peninsula Florida's electric utilities. Therefore, Docket No. 990004-EU is not necessary and should be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Docket No. 990004-EU shall be closed.

By ORDER of the Florida Public Service Commission this 3rd day of February, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

RVE

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 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.