

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for
determination of need for the
Osprey Energy Center by Calpine
Construction Finance Company,
L.P.

DOCKET NO. 000442-EI
ORDER NO. PSC-00-2134-PCO-EI
ISSUED: November 8, 2000

ORDER GRANTING JOINT MOTION TO EXTEND THE DEADLINE FOR OBJECTING
TO CALPINE'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

On October 17, 2000, Calpine Construction Finance Company, L.P. (Calpine) filed a Request for Specified Confidential Classification, pursuant to Section 366.093, Florida Statutes, for portions of its Memorandum of Understanding with Seminole Electric Cooperative, Incorporated (MOU). The material claimed to be confidential is filed with the Commission as Document No. 13517-00. Rule 25-22.006 (3)(b), Florida Administrative Code, provides that "(a)ny party to a formal proceeding may file an objection to the request for confidential classification within 14 days after service..."

By Joint Motion filed October 31, 2000, Florida Power & Light Company (FPL) and Calpine seek an extension through November 14, 2000, for FPL to reply to Calpine's request for confidential classification.

In the motion, FPL and Calpine state:

Calpine has offered to provide FPL access to some of the redacted portions of the MOU....Calpine and FPL have scheduled a meeting on November 2, 2000, at which FPL will be provided access to at least some portions of the MOU which Calpine has requested the Commission treat as confidential. FPL and Calpine would like to have the benefit of this meeting and such arrangements as they can make before FPL is required to file its objection. It is conceivable that Calpine and FPL may be able to work out an accommodation which avoids the Commission having to address a contested request for confidential classification.

No party opposes the request.

Having considered the matter, I find that the request should be granted.

DOCUMENT NUMBER-DATE

14407 NOV-88

FPSC-RECORDS/REPORTING


ORDER NO. PSC-00-2134-PCO-EI
DOCKET NO. 000442-EI
PAGE 2

It is therefore

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that the Joint Motion to Extend the Deadline for Objecting to Calpine's Request for Confidential Classification is granted. It is further

ORDERED that any objection to the Request for Specified Confidential Classification filed October 17, 2000, by Calpine Construction Finance Company, L.P., shall be filed no later than the close of business on November 14, 2000.

By ORDER of Commissioner Lila A. Jaber as Prehearing Officer, this 8th Day of November, 2000.


LILA A. JABER
Commissioner and Prehearing Officer

(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.

ORDER NO. PSC-00-2134-PCO-EI
DOCKET NO. 000442-EI
PAGE 3

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.