

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval to close standard offer contract for purchase of firm capacity and energy from small qualifying facility or municipal solid waste facility by Tampa Electric Company.

DOCKET NO. 010308-EQ
ORDER NO. PSC-01-1143-PAA-EQ
ISSUED: May 21, 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION
ORDER CLOSING STANDARD OFFER CONTRACT

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On September 5, 2000, in Docket No. 000684-EQ, the Commission voted to approve TECO's current Standard Offer Contract. The Commission's Order stated that TECO's Standard Offer Contract and the associated tariff complied with Rule 25-17.0832(4)(a), Florida Administrative Code. Pursuant to this rule, each investor-owned electric utility must file a tariff and a Standard Offer Contract with the Commission.

TECO's Standard Offer Contract is based on a 180 MW combustion turbine (CT) with an in-service date of May 1, 2003. CT units

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normally require about 18 months to construct. Therefore, TECO will need to commence construction by November 1, 2001.

As required by the Contract, TECO held two open season periods for accepting Standard Offer Contracts, that expired on November 27, 2000, and February 16, 2001. According to TECO, no offerings were presented within the open season periods.

The tariff requires TECO to petition the Commission to close its Standard Offer Contract after the open season periods have expired. On March 9, 2001, TECO requested that the Standard Offer Contract be closed. We find that the requirements to close TECO's Standard Offer Contract have been fulfilled and that the existing Standard Offer Contract shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Standard Offer Contract approved in Docket No. 000684-EQ shall be closed. It is further

ORDERED that if no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket shall be closed upon the issuance of a consummating order.

By ORDER of the Florida Public Service Commission this 21st Day of May, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

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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 that is available under Section 120.57, 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 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.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 11, 2001.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.