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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: 1989 Hearings on Load Forecasts, Generation Expansion Plans and Cogeneration Prices for Peninsular Florida.

Docket No. 900004-EU
Submitted for Filing:
January 10, 1990

REQUEST FOR ORAL ARGUMENT

The Florida Industrial Cogeneration Association (FICA), by and through its undersigned attorneys, files its request for oral argument on its Motion for Reconsideration of Order No. 222314, filed this date, pursuant to Rule 25-22.058. As grounds therefore, FICA states that oral argument on its Motion would aid the Commission in comprehending and evaluating the issues raised in the Motion. In particular:

1. The issues raised in the Motion involve fundamental

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questions regarding the goals (legislative and administrative) to be attained in designating an avoided unit, the purposes of the planning process and its impact on utility construction and QF development and the practical implementation of the policies adopted in Order No. 222341. Oral argument is the most appropriate means of presenting these questions to the Commission for its consideration.

2. The Commission has made a fundamental change in its reading of FEECA, relying on legislation passed after the post-hearing briefs were filed in this case. The pre-hearing statements and post-hearing briefs of all the parties addressed FEECA's meaning prior to the 1989 Session. The current meaning of FEECA was not at issue between the parties until this point and deserves

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a full exchange between the parties in oral argument before the Commission.

3. The Commission is currently considering a comprehensive revision of its cogeneration rules at this time, including its rules regarding firm capacity and energy payments and utility planning hearings. These rule changes may have a fundamental effect on the impact of the Commission's decision on FICA's Motion and oral argument will allow for an exchange between the parties in light of the latest developments during the rulemaking process.

Dated: January 10, 1990

Respectfully submitted,

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I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following persons by U.S. Mail this 10th day of January 1990.

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