

MEMORANDUM

October 11, 1990

TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF APPEALS (BELLAK, MILLER) *BM*  
DIVISION OF ELECTRIC AND GAS (DEAN, HAFF) *J.W.D.*

RE : PETITION FOR DECLARATORY STATEMENT BY SEMINOLE FERTILIZER CORPORATION, DOCKET NO.: ~~900699-EG~~  
*900699-EG*

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This should be placed with the Recommendation for Item #3 for October 16, 1990, agenda.

In an attempt to highlight the facts depicted in the Seminole petition, scheduled for the October 16, 1990, agenda, we have prepared the attached charts. The first illustrates Seminole's proposal which is currently at issue. The second chart shows the Monsanto factual scenario, which the Commission approved by holding there was no prohibited retail sale of electricity. The third chart is intended to illustrate the PW Ventures factual scenario. The Commission rejected the financing proposal in PW Ventures and determined there would be a retail sale. That case went to the Florida Supreme Court and the Court upheld the FPSC determination. Thus, one chart illustrates a factual case which is permitted as an unregulated entity; another shows a factual case which was held to be a prohibited retail sale.

Allison Orange of DIP and Iris Giuliani of the Executive Director's office did the excellent work on these charts.

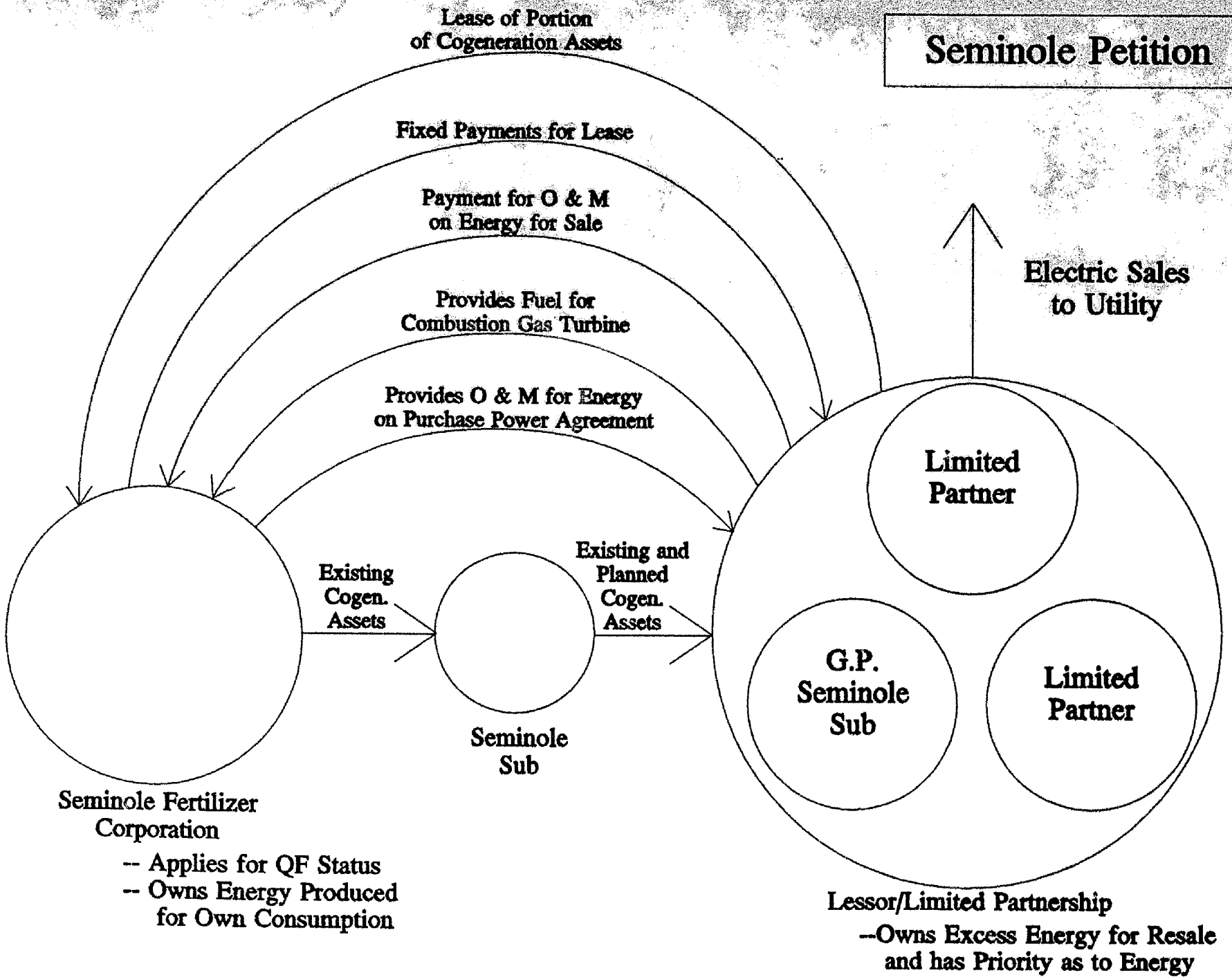
CBM:prl  
Attachments  
0062

DOCUMENT NUMBER-DATE

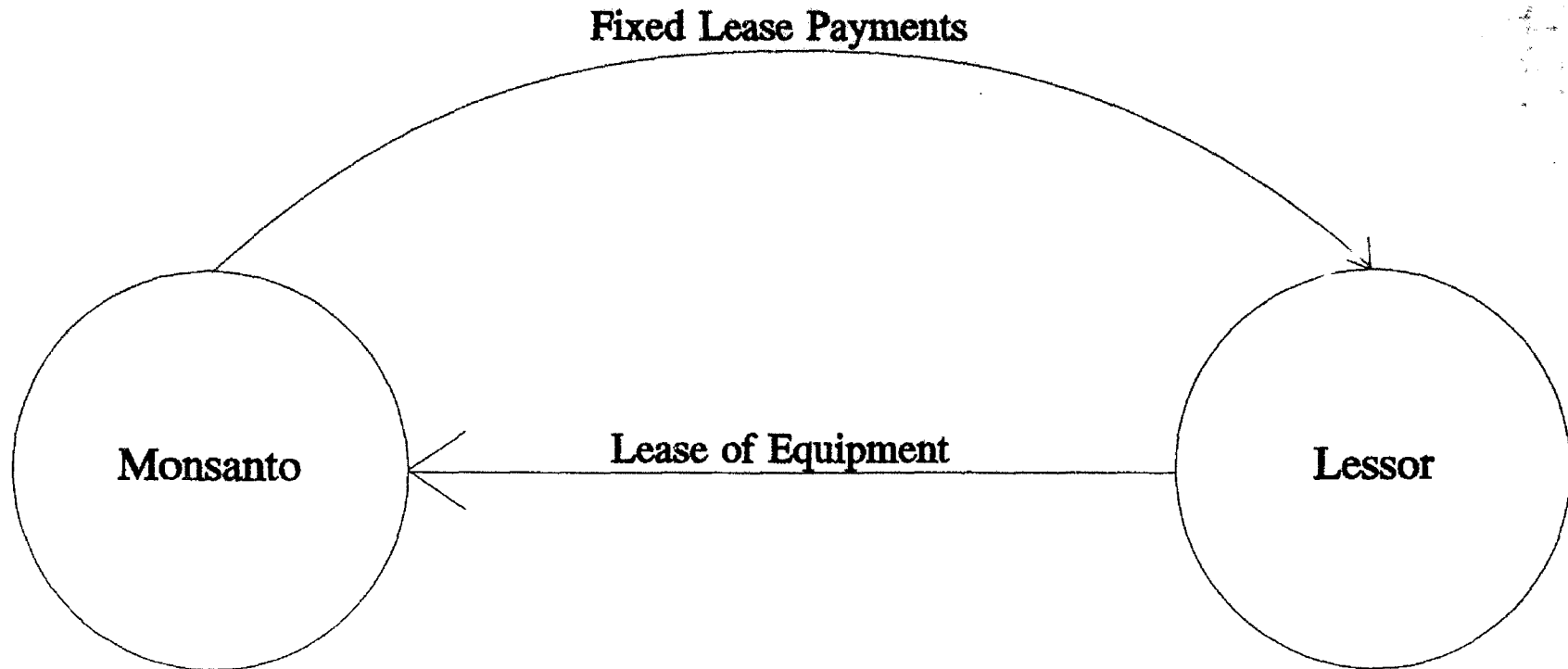
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FPSC-RECORDS/REPORTING

# Seminole Petition



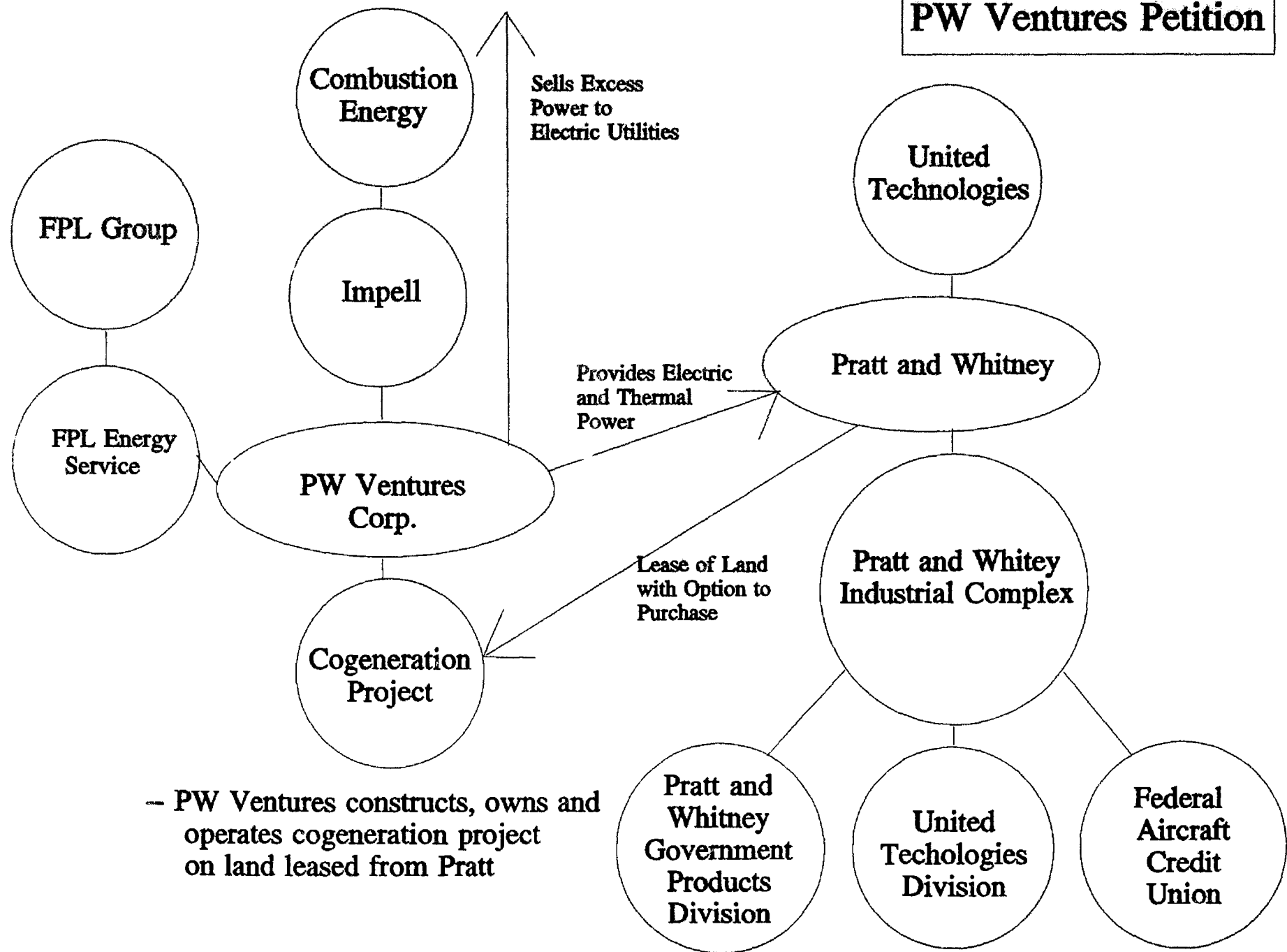
# Monsanto Petition



-- owns and consumes on-site all steam and electric power produced by equipment

-- provides fuel for facility to operate

**PW Ventures Petition**



- PW Ventures constructs, owns and operates cogeneration project on land leased from Pratt