

Ausley, McMullen, McGehee, Carothers & Proctor

Attorneys at Law

Washington Square Building
227 S. Calhoun Street
P. O. Box 391

Tallahassee, Florida 32302

Telephone 904 224-9115
Telecopier 904 222-7560

January 16, 1992

HAND DELIVERY

Charles S. Ausley (1907-1972)
John C. Ausley (1912-1980)
D. Fred McMullen (1904-1980)
Gerald T. Hart (1948-1991)
Culbosa Ausley
James D. Beasley
C. Graham Carothers
Robert N. Clarke, Jr.
J. Marshall Conrad
Timothy B. Elliott
Stephen C. Emmanuel
John P. Fons
Van P. Gaeker
Michael J. Glazer
Carla A. Green
Jenn Johnson Hart

ACK
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG
LEG
LIN
OPC _____
RCH _____
SEC
WAS _____
OTH _____

Kenneth R. Hart
Margaret Ausley Hoffman
E. Martin McGehee (Retired)
Carolyn D. Olive
R. Stan Peeler
Robert A. Pierce
H. Palmer Proctor
M. Julian Proctor, Jr.
Steven P. Seymore
William M. Smith
Deborah J. Stephens
James Harold Thompson
J. Jeffrey Wahlen
Emily S. Waugh
C. Gary Williams
Lee L. Willis

Mr. Steve C. Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

ORIGINAL
FILE COPY

Re: Petition for resolution of territorial uncertainty as to whether electric service should be provided to certain facilities of an industrial phosphate customer by Tampa Electric Company or by Peace River Electric Cooperative; FPSC Docket No. 910811-EU

Dear Mr. Tribble:

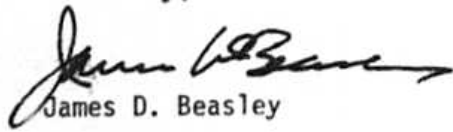
Enclosed for filing in the above-styled matter are the original and fifteen (15) copies of each of the following:

- 640 1. Joint Motion for Approval of Stipulation and Settlement Agreement.
- 641 2. Stipulation and Settlement Agreement.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

JDB/pp
encls.

cc: John W. McWhirter, Jr. (w/encls.)
Andrew B. Jackson (w/encls.)

RECEIVED & FILED

DOCUMENT NUMBER-DATE

DOCUMENT NUMBER-DATE

00641 JAN 16 1992

00640 JAN 16 1992

FPSC-BUREAU OF RECORDS

FPSC-RECORDS/REPORTING

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for resolution of territorial uncertainty as to whether electric service should be provided to certain facilities of an industrial phosphate customer by Tampa Electric Company or by Peace River Electric Cooperative.

)
)
) DOCKET NO. 910811-EU
) Submitted for Filing 1/16/92
)
)
)
)
)

**JOINT MOTION FOR APPROVAL OF
STIPULATION AND SETTLEMENT AGREEMENT**

Petitioner, Tampa Electric Company ("Tampa Electric" or "the company") and Intervenor, Peace River Electric Cooperative, Inc. ("Peace River") and IMC Fertilizer, Inc. ("IMCF") jointly move the Commission to approve the Stipulation and Settlement Agreement attached hereto as Exhibit "A", and as grounds therefor, say:

1. Tampa Electric, Peace River and IMCF have reached a reasonable settlement of their uncertainties over how electric service should be supplied to IMCF. The settlement prescribed in the attached Stipulation and Settlement Agreement will enable Peace River to provide electric service to IMCF's draglines and associated facilities located in Manatee County, utilizing power purchased from Seminole Electric Cooperative, Inc. ("Seminole"). Tampa Electric will supply Seminole with sufficient capacity and energy on a wholesale basis to enable Seminole to satisfy Peace River's requirements for serving the IMCF draglines and associated facilities in Manatee County.

2. The Stipulation and Settlement Agreement is in the public interest in that it will enable IMCF to receive reliable and economic power

DOCUMENT NUMBER-DATE

00640 JAN 16 1992

FPSC-RECORDS/REPORTING