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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Florida Power Corporation for Approval, to the Extent Required, of Certain Actions Relating to Approved Cogeneration Contracts

DOCKET NO. 940797-EQ
FILED: February 16, 1995

PETITION OF LAKE COGEN, LTD. FOR LEAVE TO INTERVENE

Lake Cogen, Ltd. ("Lake Cogen," "Lake"), pursuant to Commission Rule 25-22.039, Florida Administrative Code, petitions the Commission for leave to intervene as a party in the above-styled docket. In support of its petition to intervene, Lake Cogen states as follows:

1. The name and mailing address of Lake Cogen are:

ACK
AFA
APP
CAF
CMD
CTR
END

Lake Cogen, Ltd.
c/o Energy Initiatives, Inc.
One Upper Pond Road
Parsippany, New Jersey 07054

2. The names and mailing addresses of the persons authorized to receive notices, orders, and other communications in this

LSJ
LIN
CPC
RCH
SIC
WAS

proceeding and with respect to this petition are:

Robert Scheffel Wright
LANDERS & PARSONS
310 West College Avenue
Post Office Box 271
Tallahassee, Florida 32302

Kelly A. Tomblin, Esquire
Director - Legal and
Corporate Affairs
Energy Initiatives, Inc.
One Upper Pond Road
Parsippany, NJ 07054

OTH deliveries by hand and by courier service, the ZIP Code for 310 West College Avenue is 32301.

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01851 FEB 16 95

FPSC-RECORDS/REPORTING

3. Lake Cogen owns and operates a 112 MW gas-fired cogeneration facility (the "Lake Facility") in Umatilla, Lake County, Florida, and sells firm capacity and energy from the facility to FLORIDA POWER CORPORATION ("Florida Power," "FPC") pursuant to that certain Negotiated Contract For The Purchase Of Firm Capacity And Energy From A Qualifying Facility between Lake Cogen and FPC dated March 13, 1991 (the "Contract"). Thermal energy produced by the Lake Facility is sold, in the form of steam, to Golden Gem Growers, Inc. for use in its citrus processing plant. Lake Cogen is a "qualifying facility" or "QF" as contemplated by the applicable rules of the Florida Public Service Commission (the "Commission") and the Federal Energy Regulatory Commission (the "FERC"). The Contract was approved for cost recovery by Commission Order No. 24734, issued on July 1, 1991 in Docket No. 910401-EQ.

4. On October 14, 1994, Lake and FPC entered into a letter agreement to re-confirm and memorialize in writing their understanding and agreement with respect to certain aspects of Lake's operations in its performance of the Contract. Specifically, Lake agreed to change the normal operating procedure of the Lake Facility so that its output to FPC will be 95 MW during all off-peak hours under normal operating conditions; FPC agreed to include Lake as a Group A Non-Utility Generator under FPC's proposed Curtailment Plan.

5. By its Second Supplemental Filing to Petition for Approval, to the Extent Required, of Certain Actions Relating to Approved Cogeneration Contracts, filed herein on November 16, 1994, FPC seeks the Commission's approval of the aforementioned October

14 letter agreement between Lake and FPC. By the same filing, FPC also seeks the Commission's approval of certain other actions expressly authorized within the Contract, including FPC's consent to assignment as security in connection with financing, FPC's agreement to certain extensions of milestone dates due to regulatory delays, and Lake's increase in the Committed Capacity to be delivered to FPC under the Contract. Accordingly, Lake's substantial interests will be subject to determination by the Commission's action herein and will be affected by the Commission's decision on this matter.

WHEREFORE, LAKE COGEN prays the Commission to enter its Order granting this Petition for Leave to Intervene and directing that copies of all pleadings, notices, orders, and other communications filed, given, or entered herein be furnished to the persons named in Paragraph 2 hereof.

Respectfully submitted this 16th day of February, 1995.

LAKE COGEN, LTD.
a Florida Limited Partnership

By: Robert Scheffel Wright, Esquire
Its Attorney



LANDERS & PARSONS
310 West College Avenue
Post Office Box 271
Tallahassee, Florida 32302
(904) 681-0311

CERTIFICATE OF SERVICE
DOCKET NO. 940797-EQ

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by hand delivery (*) or by United States Mail, postage prepaid, on the following individuals this 16th day of February, 1995:

Martha Brown, Esquire*
Vicki Johnson, Esquire*
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Florida Public Service Commission
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Fletcher Building, Room 212
Tallahassee, Florida 32399-0860

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Vicki Gordon Kaufman, Esquire
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