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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power Corporation for determination that the plan for curtailing purchases from Qualifying Facilities in minimum load conditions is consistent with Rule 25-17.086, F.A.C.

DOCKET NO. 941101-EQ
FILED: April 25, 1995

ORLANDO COGEN LIMITED'S AND PASCO COGEN, LTD.'S
MOTION TO FILE SUPPLEMENTAL
TESTIMONY AND EXHIBITS OF KENNETH J. SLATER

Orlando Cogen Limited (OCL) and Pasco Cogen, Ltd. (Pasco), pursuant to rule 25-22.037, Florida Administrative Code, file this motion to file the supplemental testimony and exhibits of Kenneth

ACK J. Slater. As grounds therefor, OCL and Pasco state:

AFA _____
APP _____ 1. As explained in the Stipulated Motion for Extension of
C*F _____ Time to File Testimony, filed March 29, 1995, and as further
CMU _____ detailed in Mr. Slater's direct testimony, filed April 10, 1995,
CTR _____ OCL's technical consultant, Mr. Slater, has experienced numerous
LEG / Intall delays in utilizing the Unit Commit information provided to OCL by
LIN 5 Florida Power Corporation (FPC), in duplicating FPC's runs relating
OPC _____ to its calculations of avoided costs, and in analyzing FPC's
RCH _____
SEC / avoided cost calculations.

WAS _____ 2. For example, though OCL initiated discovery in this case
OTH _____ on the topic of Unit Commit in December 1994, Mr. Slater did not
receive the correct version of the Fortran Unit Commit source code,
which is necessary to utilize the Unit Commit program, until
April 4.

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3. Further, due to the fact that Mr. Slater has different computer facilities than those used by FPC, even after receipt of the correct codes he was required to compile and link the source code, using his own Fortran compiler, into an executable load module. Mr. Slater then had to "de-bug" the entire program before he could even begin his analysis of FPC's avoided cost studies.

4. The "de-bugging" process was necessary because the computers which Mr. Slater uses for his analysis are much less forgiving as to the Fortran code than the computers which FPC uses.

5. Though Mr. Slater worked diligently, the "de-bugging" process required extensive time and, as noted in Mr. Slater's direct testimony, it was impossible for him to complete his entire analysis by the due date for direct testimony.

6. Mr. Slater has now completed his analysis and OCL seeks to supplement his testimony with the results.¹ Mr. Slater's further analysis demonstrates that even using the time frame suggested by FPC for the evaluation of negative avoided costs, FPC would not have experienced any negative avoided costs by accepting firm QF energy during the curtailment periods. In order for the Commission to completely evaluate FPC's claims regarding its

¹ To avoid any delay in FPC's receipt of Mr. Slater's supplemental testimony and exhibits, the testimony OCL intends to file if its motion is granted is attached hereto and has been faxed to FPC with a copy of this motion. In addition, a copy of the testimony was delivered to counsel for FPC at Mr. Shanker's deposition held today. A copy will follow by Federal Express delivery.

curtailment plan and so that the record is complete, the Commission should have before it this additional critical work.

7. The filing of OCL's and Pasco's supplemental testimony and exhibits will not prejudice FPC. First, FPC is scheduled to take Mr. Slater's deposition on Thursday April 27. FPC will have received the supplemental testimony and exhibits in advance of this deposition and will have the opportunity to question Mr. Slater in detail about the supplemental filing. Second, FPC's rebuttal testimony is not due until May 2 giving FPC ample time to incorporate any response it may have to Mr. Slater's additional work.

8. OCL has contacted counsel for FPC and represents that FPC has stated that at this time it is unable to determine whether or not it will have an objection to the supplemental testimony and exhibits.

WHEREFORE, OCL and Pasco request that the Commission permit them to file the attached the supplemental testimony and exhibits of Kenneth J. Slater.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Motion to File Supplemental Testimony and Exhibits of Kenneth J. Slater has been furnished by hand delivery*, facsimile transmission** or by U.S. Mail to the following parties of record, this 25th day of April, 1995.

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