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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Prudence review to)	DOCKET NO. 960409-EI
determine regulatory treatment)	
of Tampa Electric Company's Polk)	FILED: May 24, 1996
Unit.)	

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STAFF'S MOTION FOR EXTENSION OF FILING DATES

The Staff of the Florida Public Service Commission by and through the undersigned attorney, pursuant to Rule 25-22.037, Florida Administrative Code, requests the Prehearing Officer to, enter an order extending the filing dates for staff testimony and rebuttal testimony in this docket. In support thereof, it is stated:

1. On May 7, 1996, Tampa Electric Company (TECO) filed a voluminous amount of direct testimony and exhibits in this matter. Staff is in the process of analyzing, verifying and conducting discovery concerning TECO's testimony and exhibits.

2. The Order Establishing Procedure currently provides that intervenors' testimony is due June 3, 1996, staff testimony is due June 7, 1996, and rebuttal testimony is due June 24, 1996. The final Hearing in this matter is set for July 17 and 18, 1996.

3. The Commission staff does not have a substantial interest in the outcome of the proceeding. However, the staff is authorized

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by Rule 25-22.0263, Florida Administrative Code, to participate in the Commission proceeding as a party representing the public interest. One of staff's functions is to assure that a complete and adequate record is available to the Commission to decide the matters at issue.

4. In this proceeding, TECO seeks the inclusion in rate base of more than a half billion dollars invested in its Polk Unit I generating facility. While this unit represents an approximately 8 percent increase in TECO's system generating capacity, the investment represents an approximately 80 percent increase in the amount of generation-related assets in rate base.

5. TECO has asked that the Commission determine the appropriate regulatory treatment for this plant on an expedited schedule. Given the complexities and magnitude of the issues in this case, a comprehensive review and analysis of TECO's request is in the public interest.

6. To this end, staff believes additional time is necessary for filing staff and rebuttal testimony to assure a full and complete record is available to the Commission. Staff has contacted all parties to this docket proposing to extend the filing date to June 14, 1996 for staff testimony, if any. Similarly, staff proposed to extend the filing date for rebuttal testimony to

July 1, 1996. These revised dates will enable staff and the company more time to review the testimony of the intervenors.

7. This review is necessary for staff to adequately assess the need to file testimony. These revised dates give the company additional time to respond to the testimony of intervenors. These revised dates will not reduce the amount of time afforded the company to respond to the testimony, if any, filed by staff.

8. All parties to this docket, except TECO, have not objected to staff's request. Counsel for TECO stated that TECO was concerned that the entire schedule for this docket would be delayed if the two testimony dates were extended.

9. Staff respectfully disagrees. Extending these dates as requested still allows the prehearing conference, completion of discovery, the formal hearing and the post-hearing decision to occur as currently scheduled.

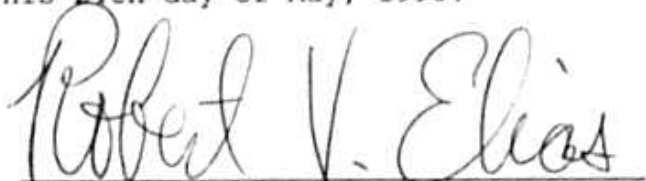
10. As an additional basis for extending testimony filing dates, staff currently has pending a Motion to Compel Discovery and a separate request for in camera inspection of certain documents claimed to be privileged attorney-client communications. These documents are relevant to determine the prudence of TECO's assumption that certain tax benefits would be available for its half billion dollar, 263 megawatt Polk Unit I generating station.

The combined impact of the tax benefits is in excess of one hundred million dollars on a cumulative present worth revenue requirements basis. In a word, this amount is significant.

11. Staff believes TECO has not properly asserted the privilege. If staff is correct in its belief that these documents are not privileged, the delay in production will adversely affect staff's ability to evaluate the need for, and if necessary, prepare staff testimony.

WHEREFORE, staff requests entry of an order modifying the procedural schedule to extend the filing date for staff testimony to June 14, 1996, and to extend the filing date for rebuttal testimony to July 1, 1996.

Respectfully submitted this 24th day of May, 1996.

A handwritten signature in cursive script that reads "Robert V. Elias". The signature is written in dark ink and is positioned above a horizontal line.

ROBERT V. ELIAS
Chief, Bureau of Electric and Gas

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that one true and correct copy of Staff's Motion for Extension of Filing Dates has been furnished by Hand Delivery, to Mr. Lee Willis, Macfarlane Ausley Ferguson and McMullen, 227 South Calhoun Street, Tallahassee, Florida 32301, on behalf of Tampa Electric Company and that one true and correct copy has been furnished by U. S. Mail this 24th day of May, 1996, to the following:

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