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June 24, 1996

HAND DELIVERED

Christiana T. Moore  
Division of Appeals  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0862

Re: Docket No. 960111-EU; In re: Proposed Rules 25-17.085,  
and 25-17.9852, F.A.C., Contents, Submission, and Review  
of Ten-Year Site Plans.

Dear Chris:

Pursuant to your memo of June 17, 1996, I enclose the original  
of Tampa Electric Company's Post-Workshop Comments in the above  
docket. We appreciate your consideration of the company's  
concerns.

Sincerely,

  
James D. Beasley

JDB/pp  
Enclosure

cc: Workshop Participants (w/enc.)  
Blanca S. Bayo (w/enc.) ✓

DOCUMENT NUMBER-DATE

06748 JUN 24 88

FPSC-RECORDS/REPORTING

June 24, 1996

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Rules 25-17.085, )  
and 25-17.9852, F.A.C., Contents, )  
Submission, and Review of )  
Ten-Year Site Plans. )

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DOCKET NO. 960111-EU

**TAMPA ELECTRIC COMPANY'S  
POST-WORKSHOP COMMENTS**

Tampa Electric Company ("Tampa Electric" or "the company") submits the following written comments as a follow up to the June 10, 1996 Staff Workshop in the above docket:

1. Tampa Electric is very concerned that the breadth of the draft rules is such that it would require Tampa Electric to file with the Commission significant amounts of information which could be competitively harmful to Tampa Electric and ultimately to its customers. As the Staff points out in its April 25, 1996 Staff Recommendation, the forms proposed to be incorporated into the rules would require information (1) that has been filed with the Department of Community Affairs by the utilities in past Ten-Year Site Plans; (2) supplemental information requested informally by Commission Staff in the past three years; and (3) additional information Staff has indicated it believes is necessary for the Commission to adequately study and classify the plans as "suitable" or "unsuitable." Tampa Electric's principle concern is with the second category of information which would have to be filed with the Commission on extensive forms rather than handled through informal Staff data requests as has been done in the past.

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FPSC-RECORDS/REPORTING

2. Much of the information in the "supplemental information" form requirements would enable independent power producers and other Tampa Electric competitors to gain valuable insight to help them compete with Tampa Electric in the energy market. The independent power producers and other non-utility generators are not required to file similar information with the Commission. Thus, incorporating these filing requirements in the Ten-Year Site Plan forms would work to the competitive disadvantage of Tampa Electric and bring about higher prices for the company's customers. For this reason, Tampa Electric would prefer to do as it has done in the past, and that is to respond to informal data requests from the Staff in support of the company's Ten-Year Site Plan rather than formally filing this information with the Commission. A formal filing has a much larger distribution and, thus, would pose a greater chance for Tampa Electric and our customers to suffer competitive harm.

3. The use of informal data requests rather than standardized forms would afford the Staff more flexibility in determining the information it needs in order to properly evaluate the suitability of a utility's ten-year site plan. This would also lessen the concerns expressed by the utilities during the June 10, 1996 workshop that prescribing particular data in a form rule would usurp the utility's planning role. The forms discussed at the workshop appear too prescriptive of the manner in which the utilities should carry out their planning function. Tampa Electric believes it would be inappropriate for the Commission to prescribe particular planning efforts through the use of these forms rather

than having the utility present its planning process and respond to any questions the Staff may have in order to satisfy itself that that process is suitable.

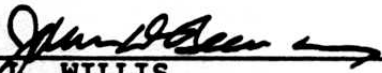
4. As was observed during the June 10 workshop, the Commission's rule on Ten-Year Site Plans should do the minimum required by statute at this time. Many changes are occurring in the energy market and it would behoove the Commission to wait until it sees how the competitive arena shapes up rather than attempting to prescribe planning criteria through the use of detailed forms.

5. Attached as Exhibit "A" is a substitute proposal for the draft rules considered at the June 10 Staff Workshop. Tampa Electric believes that the simplicity of the substitute draft will enable the Commission to carry out its duties under the statute and at the same time afford Staff the flexibility to determine what, if any, supplemental information it needs to obtain through the data request process in order to assess the suitability of a utility's ten-year site plan.

WHEREFORE, Tampa Electric urges that the attached substitute rule draft be adopted in lieu of the language contained in the draft rules discussed at the June 10, 1996 Staff Workshop.

DATED this 24<sup>th</sup> day of June, 1996.

Respectfully submitted,

  
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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

Rule 25-17.085

Each utility shall file its Ten-Year Site Plan on or before April 1 of each year, unless granted an extension of time for good cause shown. The Ten-Year Site Plan shall be prepared substantially in the same form as the utility last submitted to the Department of Community Affairs when that agency was responsible for receiving and evaluating such plans. Staff shall evaluate each utility's Ten-Year Site Plan and recommend to the Commission whether the plan should be found suitable or unsuitable. To the extent the Commission's Staff is in need of follow-up information from a utility in order to properly evaluate the suitability of the utility's Ten-Year Site Plan, the Staff may obtain the needed information through informal data requests to the utility.

Exhibit "A"