



JACK BRIVVE
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FILE COPY**
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MAY 12 1997

FPSC - Records/Reporting

May 12, 1997

Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: Docket No. 900000EQ

Dear Ms. Bayó:

Enclosed please find an original and fifteen copies of Public Counsel's Preliminary List of Issues and Positions for filing in the above referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,


John Roger Howe
Deputy Public Counsel

- ACK _____
- AFA 2
- APP _____
- CAF JRH/dsb
- CMU Enclosures
- CTR _____
- EAG Hanson
- LEG C. MOORE ORLANDO BAYOLES
- LIN 5
- OPC _____
- PLH _____
- SEC T
- WLS _____
- O.H. _____

DOCUMENT NUMBER-DATE

04724 MAY 12 97

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**ORIGINAL
FILE COPY**

In Re: Petition for approval of an early termination amendment to a negotiated qualifying facility contract with Orlando Cogen Limited, Ltd. by Florida Power Corporation.

**Docket No. 961184-EQ
Filed: May 12, 1997**


**PUBLIC COUNSEL'S PRELIMINARY LIST OF
ISSUES AND POSITIONS**

The Office of Public Counsel hereby submits its preliminary list of issues and positions:

- ISSUE: Would Florida Power Corporation's customers benefit from Commission approval of the company's proposal?**
- OPC: No. The present value analyses upon which the company relies are not meaningful because customers do not have the same benefit horizons as long-lived corporations. When the ages of residents within Florida Power Corporation's service area are considered, along with the migration of customers into and out of the service area, it is clear that many of today's customers will never see a benefit from the company's proposal.**

Respectfully submitted,

**Jack Shreve
Public Counsel**


**Mr. Roger Howe
Deputy Public Counsel**

**Office of the Public Counsel
c/o The Florida Legislature
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**Attorneys for the Citizens
of the State of Florida**

DOCUMENT NUMBER-DATE

04724 MAY 125

FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
DOCKET NO. 961184-BQ**

**I HEREBY CERTIFY that a true and correct copy of the foregoing PUBLIC COUNSEL'S
PRELIMINARY LIST OF ISSUES AND POSITIONS has been furnished by U.S. Mail or *Hand-
delivery to the following parties on this 12th day of May, 1997.**

**JAMES A. MCGEE, ESQUIRE
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**MR. ROGER YOTT, P.E.
MR. THOMAS DONCHEZ
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**John Roger Howe
Deputy Public Counsel**