

FLORIDA PUBLIC SERVICE COMMISSION

YOUR SHEET

DATE: June 19, 1997

RE: DOCKET NO. ~~95072~~ 95072-20 - Petition for approval of early termination amendment to negotiated qualifying facility contract with Orlando Cogen Limited, Ltd., by Florida Power Corporation.

Issue 1: Should the Commission grant the Office of Public Counsel's Motion to Dismiss Florida Power Corporation's Petition on Proposed Agency Action? Recommendation: No. The Office of Public Counsel's Motion to Dismiss Florida Power Corporation's Petition on Proposed Agency Action should be denied. Florida Power Corporation's Petition adequately states a cause of action upon which the Commission may grant relief.

APPROVED

COMMISSIONERS ASSIGNED: CL OR ES

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures: Susan L. Clark, Jim K. ...]

REMARKS/DISSENTING COMMENTS:

PSC/EAR33 (5/90)

DOCUMENT NUMBER-DATE

05072 JUN 15

FPSC-RECORDS/REPORTING

Votk, Sheet
Docket No. 961184-BG
June 10, 1997

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending resolution of FPC's Petition on Proposed Agency Action.

APPROVED