



# Public Service Commission

ORIGINAL  
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**-M-E-M-O-R-A-N-D-U-M-**

**DATE:** August 13, 1997

**TO:** James McGee, Florida Power Corporation  
 Charles Guyton, Steel Hector & Davis  
 Jeffrey Stone, Beggs & Lane  
 James Beasley, Ausley & McMullen  
 Ed Regan, Gainesville Regional Utilities  
 Richard Breitmoser, Jacksonville Electric Authority  
 Paul Elwing, City of Lakeland  
 Gary Brinkworth, City of Tallahassee  
 Robert Williams, Florida Municipal Power Agency  
 Richard Midulla, Seminole Electric Cooperative  
 Ken Wiley, Florida Reliability Coordinating Council

**FROM:** Leslie J. Paugh, Staff Counsel, Division of Legal Services *LJP*

**RE:** Undocketed - Ten-Year Site Plan

**Via Facsimile**

Please reply to the following questions no later than Tuesday, September 9, 1997.

1. Does the "need" portion of the Florida Electric Power Plant Siting Act allow merchant plants to be certified? (A merchant plant is a non-utility power plant constructed without a utility applicant and there is no obligation by customers of any utility to pay rates based in part on the costs or prices of that plant.)
2. Can a merchant plant be build without certification pursuant to the Power Plant Siting Act?

ACK \_\_\_\_\_

AFA 3. If the answer to both of the above is "no", does the Florida Electric Power Plant Siting Act frustrate the FERC policy for a competitive wholesale market by restricting entry?

APP \_\_\_\_\_

CAF \_\_\_\_\_ If there are any concerns regarding the above questions, please contact Michael Haff at (850) 413-6684.

CMU 413-6684.

CTR \_\_\_\_\_

EAG \_\_\_\_\_ *LJP/js*

LEG \_\_\_\_\_ cc: Joe Jenkins  
 Michael Haff  
 Kay Flynn

LIN \_\_\_\_\_

OPC \_\_\_\_\_

RCH \_\_\_\_\_

SEC T

WAS \_\_\_\_\_

OTH \_\_\_\_\_

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