



Public Service Commission

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

DATE: September 12, 1997
TO: Julia L. Johnson, Chairman
FROM: Robert V. Elias, Chief, Bureau of Electric and Gas, Division of Legal Services *RVE*
RE: Docket No. ~~970410-EI~~ *970410-EI* - Petition for expedited approval of settlement agreement with Lake Cogen, Ltd., by Florida Power Corporation

This matter was most recently considered by the Commission at the August 18, 1997, agenda conference. At the request of a Commissioner, the item was deferred and the parties were directed to file supplemental briefs on the issues of 1) the "regulatory out" clause contained in the power purchase agreement and 2) the impact of the New York State Public Service Commission's decision that it had jurisdiction to interpret and clarify its approval of negotiated purchase power agreements (the Crossroads decision). Staff was directed to bring the matter back to agenda as soon as possible. The supplemental briefs were filed on August 29, 1997. Due to work load demands, the fact that we have a vacant senior attorney position, and the need to prepare a recommendation concerning AmeriSteel's Motion for Reconsideration in Docket No. 970410-EI, staff requests permission to file a late recommendation addressing Florida Power Corporation's petition in this docket on Monday, September 15, 1997, for consideration at the September 23, 1997 agenda conference.

*D.K.
LW for J?*

RVE/js
cc:
I:\jjmemo.rve

*OK
MREB
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