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February 27, 1998

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

BY HAND DELIVERY

950110-EI

**Re:**

Dear Ms. Bayo:

Attached please find an original plus 15 copies of a replacement page 7 from Panda's Reply to Florida Power Corporation's Memorandum in Opposition, filed by Panda on Wednesday, February 25, 1998. This replacement page 7 corrects a computer processing error which apparently dropped out a portion of one sentence in the second paragraph.

Attached also please find a diskette which contains the entire Reply, including the corrected page 7, which is in Word format.

Thank you for your assistance, and if you have any questions, please contact me or Michelle Beal at this firm's Tallahassee office.

Sincerely,



Lorence Jon Bielby  
For the Firm

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 2 \_\_\_\_\_
- LIN 5 \_\_\_\_\_
- OPC \_\_\_\_\_
- POH \_\_\_\_\_
- SEC 1 \_\_\_\_\_
- W/S \_\_\_\_\_
- QTR \_\_\_\_\_

- cc: Grace Jaye, Esq. (via Hand Delivery)
- Richard Bellak, Esq. (via Hand Delivery)
- James A. McGee, Esq. (via Facsimile)
- Jeffrey A. Froeschle, Esq. (via Facsimile)
- Sylvia H. Walbolt, Esq. (via Facsimile)

the appeal, not only penalizes Panda for complying with the regulatory scheme, but, more importantly, encroaches upon the Commission's clear right and authority under Rule 25-17.0836 F.A.C. to govern any modifications to existing contracts. It is the ultimate "got'cha" for FPC to initiate these proceedings, and for the Commission to conclude that "...neither party should be helped nor harmed because of the time requirements of the regulatory process," and then as that process nears its end for FPC to prove that its real intent is to keep Panda from building a facility that Panda has every intention of building once the regulatory process is concluded.

Finally, FPC states in its response that "Panda is no longer content with the extension of time Panda asked for in its third and still pending request for an extension of the Contract Performance Dates." Importantly, Panda seeks an extension of twelve (12) months from the date of the new final PSC Order to commence construction, a shorter extension than requested in Panda's July 1, 1997 Motion.

WHEREFORE, Panda-Kathleen, L.P./Panda Energy Corp. respectfully requests for the Commission to consider this Reply, to grant Panda's request to extend the contract performance dates in accordance with Panda's January 7, 1998, Motion for Extension requesting a post-determination Extension of the Contract Performance Dates for a period of 12 months from the date of the new final PSC Order to commence construction, and an additional 18 months extension for the completion date, or, alternatively, to grant FPC's request for an evidentiary hearing to consider Panda's request for an extension of the contract performance dates.