

CASE ACTION NOTE

DATE: January 25, 1999

TO: Richard Bellak, Division of Appeals  
Kenneth Dudley, Division of Electric and Gas

FROM: Sandy Moses, Division of Records and Reporting

RE: Docket No.: 980283-EQ - Petition by Florida Power Corporation for declaratory statement that Commission's approval of Negotiated Contract for Purchase of Firm Capacity and Energy between FPC and Metropolitan Dade County in Order No. 24734, together with Orders Nos. PSC-97-1437-FOF-EQ and 24989, PURPA, Florida Statute 366.051, and Rule 25-17.082, F.A.C., establish that energy payments thereunder, including when firm or as-available payment is due, are limited to analysis of avoided costs based upon avoided unit's contractually-specified characteristics.

To the Division indicated in the left margin: Please take the actions checked below in the record of the referenced case.

ALL 1.  FPC has appealed Order PSC-98-1620-FOF-EQ denying its petition for declaratory statement and closing docket. The docket has been **REOPENED** and placed in **LITIGATION** status. APP is to handle and advise all concerned of the outcome.

\_\_\_ 2.  OPR changed to \_\_\_.

\_\_\_ 3.  OCR changed to \_\_\_.

\_\_\_ 4.  Enter the following in CMS comments: "Order \_\_\_\_\_, \_\_\_ / \_\_\_ / \_\_\_, requires the company to make refunds and file certain related reports. \_\_\_ is to monitor and advise all concerned of the company's compliance or non-compliance and recommended further actions."

\_\_\_ 5.  Enter the following in CMS comments: "Order \_\_\_\_\_, \_\_\_ / \_\_\_ / \_\_\_, authorizes the issuance of securities and requires the company to file a consummation report within 90 days of such issuance. AFA is to monitor and advise all concerned of recommended further actions."

\_\_\_ 6.  \_\_\_\_\_  
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\_\_\_ 7.  Please file a CASR by \_\_\_\_\_

K \_\_\_\_\_  
A \_\_\_\_\_  
PP \_\_\_\_\_  
AF \_\_\_\_\_  
MU \_\_\_\_\_  
TR \_\_\_\_\_  
AG \_\_\_\_\_  
EG \_\_\_\_\_  
LN \_\_\_\_\_  
DPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC \_\_\_\_\_

WAS \_\_\_\_\_ cc:  Docket File  
OTH \_\_\_\_\_  Security File  
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