

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Generic investigation into the aggregate electric utility reserve margin planned for Peninsular Florida

Docket No. 981890-EU

Filed: 9/16/99

RECORDED AND INDEXED
SEP 16 1999
ORIGINAL

MOTION FOR ORDER TO COMPEL DISCOVERY

Intervenor, Legal Environmental Assistance Foundation, ("LEAF"), files this Motion to Compel Responses to LEAF's Interrogatory No. 10 by Tampa Electric Company ("TECO") and as grounds therefore states:

1. LEAF Interrogatory 10 asks TECO to state the lowest, the mean, and the highest, price that it paid for wholesale capacity and energy purchased (other than pursuant to a contract with an Independent Power Producer) over the past three years. The answer to LEAF Interrogatory 10 is both relevant, and calculated to lead to information that is relevant, in this docket.

2. TECO's payment for such capacity and energy determines the relative cost of energy service options. Such costs must be known to enable evaluation of energy service options that could provide equal or greater reliability for lesser cost. The reliability and cost of energy service options is relevant to the Commission's consideration of a reserve margin or other reliability criterion to best to meet the energy service reliability needs of Peninsula Florida customers (and to Issues, 1, 2, & 3/particularly 3B, 12, 14, 15, 16, 17, & 19 on the list attached to Order No. PSC-99-1274-PCO-EU -- not the omitted issue as TECO's objection claims).

3. LEAF has contacted counsel for TECO and states that TECO would adhere to the position stated in its objection.

WHEREFORE, LEAF moves that the Commission issue an order directing TECO to answer LEAF Interrogatory Number 10.

Respectfully submitted,

Debra Swim

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APP _____
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SEC _____
WAW _____
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and ten true copies of the foregoing Motion for Order to Compel Discovery were hand delivered to the Florida Public Service Commission, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0950, and that a true copies was sent by U.S. mail, or hand delivered (when indicated by**) this 16th day of September, 1999 to:

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