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February 24, 2000

**VIA FEDERAL EXPRESS**

ORIGINAL

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

RE: Petition for Determination of Need for an Electrical Power Plant in Okeechobee County by Okeechobee Generating Company, L.L.C.

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Prehearing Statement and Tampa Electric Company's \*Answers to Second Request for Production of Documents (Nos. 26-31) of Okeechobee Generating Company, L.L.C.

FORWARDED TO LEGAL

Also enclosed is a diskette containing the above Prehearing Statement and Answers to Second Request for Production of Documents (Nos. 26-31) of Okeechobee Generating Company, L.L.C. originally typed in Microsoft Word format.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,

Harry W. Long, Jr.  
Chief Counsel

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cc: All Parties of Record (w/enc.)

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Petition for )  
Determination of Need for an ) DOCKET NO.: 991462-EU  
Electrical Power Plant in ) ORDER NO.: PSC-99-2166-PCO-EU  
Okeechobee County by Okeechobee ) ISSUED: February 23, 2000  
Generating Company, L.L.C. )

**TAMPA ELECTRIC COMPANY'S PREHEARING STATEMENT**

**A. APPEARANCES:**

HARRY W. LONG JR.  
Chief Counsel  
TECO Energy, Inc.  
Post Office Box 111  
Tampa, FL 33601  
(813) 228-4111

LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302

On behalf of Tampa Electric Company ("Tampa Electric")

**B. WITNESSES:**

Tampa Electric does not have any witnesses.

**C. EXHIBITS:**

Tampa Electric is not sponsoring any exhibits.

**D. STATEMENT OF BASIC POSITION:**

**Tampa Electric Company's Statement of Basic Position:**

Okeechobee Generating Company, L.L.C. ("OGC") does not qualify as an applicant under the Florida Power Plant Siting Act ("Siting Act"), Section 403.501 – 403.518 and Section 403.519, Florida Statutes. Specifically, OGC does not qualify as an

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“Electric Utility” within the meaning of Section 403.503(13) of the Florida Statutes. Only “Electric Utilities” qualify as Applicants under the Siting Act.

The relief sought in this case would injure Tampa Electric’s ability to plan, certify, build and operate transmission generation facilities necessary to meet its service obligation and the needs of its customers. OGC has no public utility obligation to provide service to the public and, therefore, has no need for power that is cognizable under the Siting Act. Instead, OGC is improperly relying upon the need of the fifty-nine (59) Florida utilities comprising “Peninsular Florida” to attempt to demonstrate the need for its project but would have no obligation to use the capacity of the project for the citizens of Florida if its request were granted. The relief sought in this case would also introduce tremendous uncertainty in the planning process for Tampa Electric and other Florida utilities, adversely affecting their ability to plan their generation and transmission facilities to reliably meet the future demand for electric service by the residents of this state. The proposed project has not been shown to be needed to ensure either electric system reliability and integrity or adequate amounts of electricity at a reasonable cost.

The proposed project has not been shown to be the most cost-effective alternative available. It has not been shown that there are no conservation measures reasonably available that might obviate the project. Based upon the foregoing, the petition in this proceeding should either be dismissed or denied.

**E. STIPULATED ISSUES:**

None at this time.

**F. MOTIONS:**

None by Tampa Electric.

**G. OTHER MATTERS:**

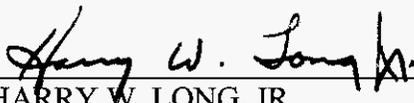
None at this time.

DATED this 24<sup>th</sup> day of February, 2000.

Respectfully submitted,

LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(850) 224-9115

and

  
\_\_\_\_\_  
HARRY W. LONG, JR.  
Chief Counsel  
TECO Energy, Inc.  
Post Office Box 111  
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(813) 228-4111

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by U. S. Mail, postage prepaid, on the following individuals this 24th day of February, 2000.

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Division of Local Resource Planning  
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Tallahassee, FL 32399-2100

William G. Walker, III  
Vice President, Regulatory Affairs  
Florida Power & Light Company  
9250 West Flagler Street  
Miami, FL 33174

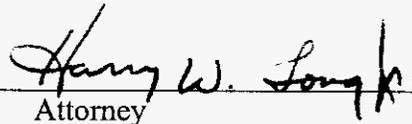
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\_\_\_\_\_  
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