

ORIGINAL

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

DOCKET NO. 991462-EU
FILED: March 16, 2000

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REGULATORY AND REPORTING

**OKEECHOBEE GENERATING COMPANY'S
POSITION STATEMENT ON FINAL ISSUES 1-15**

Okeechobee Generating Company, L.L.C., ("OGC") by and through its undersigned counsel hereby files its position statement as to each of the fifteen final issues identified in the Staff's Memorandum of March 13, 2000. OGC's position as to each of the fifteen (15) separately identified final issues is as follows:

ISSUE 1: Is there a need for the Okeechobee Generating Project taking into account the need for electric system reliability and integrity, as this criterion is used in Section 403.519, Florida Statutes?

OGC: Yes. The proposed Project will contribute to the reliability of Florida customers' electric service without requiring them to assume responsibility for the investment risk of the Project.

Finnerty, Lehner, Vaden, Nesbitt, Kordecki

ISSUE 2: Is there a need for the Okeechobee Generating Project taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in Section 403.519, Florida Statutes?

OGC: Yes. The Okeechobee Generating Project will help meet the need for adequate electricity at a reasonable cost without requiring any utility or utility customer to bear the risk of the Project. As a result, customers can only benefit as a result of the Commission's granting the determination of need.

Finnerty, Lehner, Vaden, Nesbitt

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ISSUE 3: Is the Okeechobee Generating Project the most cost-effective alternative available, as this criterion is used in Section 403.519, Florida Statutes?

OGC: Yes.

Finnerty, Sullivan, Lehner, Nesbitt, Kordecki

ISSUE 4: Are there any conservation measures taken by or reasonably available to the petitioner which might mitigate the need for the Okeechobee Generating Project?

OGC: No. There are no additional conservation measures reasonably available to OGC that would mitigate the need for the proposed power plant.

Finnerty.

ISSUE 5: Does the Commission have sufficient information to assess the need for the Okeechobee Generating Project under the criteria set forth in Section 403.519, Florida Statutes?

OGC: Yes, although, as explained in OGC's pending motion for continuance, OGC believes that the Commission would be best served by granting the requested continuance so that OGC can furnish the Commission with updated, corrected information that will enhance the record upon which the Commission will render its determination of need for the Project.

Finnerty, Sullivan, Lehner, Vaden, Nesbitt, Kordecki, Clayton, Hong, Sellars

ISSUE 6: Can the existing Peninsular Florida transmission system accommodate power deliveries from the Okeechobee Generating Project to other utilities in Peninsular Florida?

OGC: Yes.

Clayton

ISSUE 7: Has Okeechobee Generating Company provided adequate assurances regarding available primary and secondary fuel to serve the proposed power plant on

a long- and short-term basis?

OGC: Yes.

Finnerty, Hong

ISSUE 8: Is Okeechobee Generating Company's quantification of wholesale price suppression based on reasonable input assumptions?

OGC: Yes. Although, as noted in OGC's motion for continuance, there were errors in certain of the input data, overall, the input data and assumptions are reasonable.

Nesbitt.

ISSUE 9: Is Okeechobee Generating Company's quantification of wholesale price suppression based on a reasonable methodology?

OGC: Yes.

Nesbitt.

ISSUE 10: Will there be significant costs to retail electric customers in Florida from the loss of receipt of the gain from off-system sales resulting from displacement by the Okeechobee Generating Project?

OGC: No.

Kordecki.

ISSUE 11: Is the Okeechobee Generating Project economically viable?

OGC: Yes.

Nesbitt.

ISSUE 12: Does the Petition for Determination of Need meet the pleading requirements of Rule 25-22.081, Florida Administrative Code?

OGC: Yes.

Finnerty, Sullivan, Lehner, Vaden, Nesbitt,
Kordecki, Clayton, Hong, Sellars

ISSUE 13: Would granting the determination of need for the Okeechobee Generating Project be consistent with the public interest and the best interests of electric customers in Florida?

OGC: Yes. The Project will enhance electric system reliability, provide adequate electricity at a reasonable cost without economic risk to ratepayers, and improve the overall environmental profile of electricity generation in Florida.

Finnerty, Vaden, Nesbitt, Kordecki, Sellars

ISSUE 14: Based on the resolution of the foregoing issues, should the petition of Okeechobee Generating Company for determination of need for the Okeechobee Generating Project be granted?

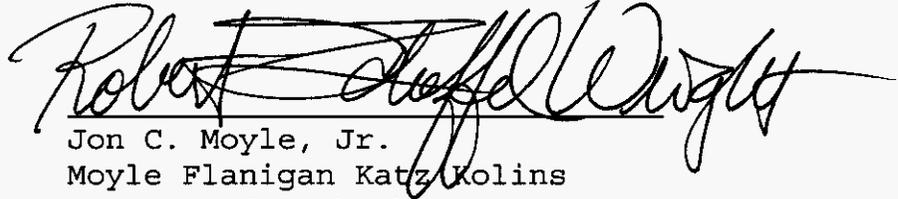
OGC: Yes.

Finnerty, Sullivan, Lehner, Vaden, Nesbitt,
Kordecki, Clayton, Hong, Sellars

ISSUE 15: Should this docket be closed?

OGC: Yes, after the Commission's order granting the requested determination of need passes beyond further appellate review.

Respectfully submitted this 16th day of March, 2000.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery (*) or U.S. Mail, on this 16th day of March, 2000, to the following:

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