



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: May 3, 2000
TO: Bruce May, Esquire
Rick Melson, Esquire
FROM: Cochran Keating, Senior Attorney, Division of Legal
Services *WCK*
RE: Docket No. 981827-EC - Complaint and petition by Lee
County Electric Cooperative, Inc. for an investigation of
the rate structure of Seminole Electric Cooperative, Inc.

Via Facsimile

Please note that staff will conduct an Issue Identification Conference for the above-referenced docket at the following time and place:

10:00 a.m., Monday, May 8, 2000
Gerald L. Gunter Building, Room 362
2540 Shumard Oak Boulevard
Tallahassee, Florida

If anyone has any questions concerning this meeting, please contact David Wheeler at (850) 413-6670 or Cochran Keating at (850) 413-6193.

WCK/jb
cc: Division of Electric and Gas (Wheeler)
I:\981827m6.wck

- AFA _____
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DOCUMENT NO.
03566-00
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint and petition by)
Lee County Electric Cooperative, Inc.)
For an investigation of the rate structure)
of Seminole Electric Cooperative, Inc.)

Docket No. 981827-

RECORDS AND REPORTING

MAY - 4 PM 4:49

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**LEE COUNTY ELECTRIC COOPERATIVE, INC.'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO SEMINOLE ELECTRIC COOPERATIVE, INC.**

Petitioner, LEE COUNTY ELECTRIC COOPERATIVE, INC., pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, hereby requests that SEMINOLE ELECTRIC COOPERATIVE, INC. produce for inspection and copying the documents designated below, such inspection to be held at the offices of HOLLAND & KNIGHT LLP, 315 South Calhoun Street, Suite 600, Tallahassee, Florida 32301, within the time prescribed by the Florida Rules of Civil Procedure.

DEFINITIONS AND INSTRUCTIONS

1. "Document" includes all materials so defined in Rule 1.350(a) of the Florida Rules of Civil Procedure, as currently or hereafter construed by the appropriate courts, including, without limitation the following: any written or graphic matter, and any electronic, photographic, digital or other means of recording, preserving or transmitting data, visual images, sounds, thought or expression, and all tangible things from which information can be processed or transcribed, including, but not limited to, all reports, memoranda, letters, minutes, correspondence, electronic-mail, notes, notebooks, manuals, books, brochures, lists,

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EPSC-BUREAU OF RECORDS

DOCUMENT NO.
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publications, computer printouts, printed forms, drawings, sketches, graphs, maps, charts, photographs, films, tapes, computer discs or drives, photo records, receipts, and other writings or data compilations of any kind from which information can be obtained, including drafts, typings, printouts and copies or reproductions which bear notation or are in any way different in content from the original, whether hand written, printed, or otherwise recorded, that is in the possession, custody or control of Seminole. If the documents to be provided are maintained in a computer-readable format, provide a printed copy of the document or other means by which they can be accessed and reviewed by Petitioner's counsel (i.e. if provided on a disc, the documents should be in a readily readable format).

2. The term "relating to" means having any connection, association, or concern with or any relevance, relation, pertinence or applicability to, or any implication for or bearing upon the subject matter of the inquiry.

3. The term "person" means any natural person, firm, partnership, corporation, incorporated association, organization, joint venture, cooperative, governmental body, or other form of legal entity.

4. The term "you" or "yours" means the party or parties to whom this request for production of documents is addressed, including its divisions, departments, subsidiaries, affiliates, predecessors, present or former officers, directors, owners, agents, attorneys and all other persons acting or purporting to act on its behalf.

5. "All" includes the word "any" and "any" includes the word "all." "Each" includes the word "every" and "every" includes the word "each." "And," as well as "or," shall be construed disjunctively or conjunctively as necessary in order to bring within the scope of the request for production documents that might otherwise be construed to be outside its scope.

6. "Petitioner" means Lee County Electric Cooperative, Inc. and includes all of its members, employees, agents, divisions, affiliates and any person or entity acting for or on the behalf of the Petitioner in any capacity.

7. "Seminole" means Seminole Electric Cooperative, Inc. and includes all of its members, employees, agents, divisions, affiliates and any person or entity acting for or on behalf of Seminole in any capacity.

8. "FPSC" means the Florida Public Service Commission and includes all of its employees, agents, divisions and any person or entity acting for or on behalf of the FPSC in any capacity

9. "RUS" means the Rural Utility Service and includes all of its employees, agents, divisions and any person or entity acting for or on behalf of the RUS in any capacity.

10. The use of a verb in any tense shall be construed as the use of the verb in all other tenses, wherever necessary to bring within the scope of the request for production documents that might otherwise be construed to be outside its scope.

11. A plural noun shall be construed as a singular noun, and a singular noun shall be construed as a plural noun, whenever necessary to bring within the

scope of the request for production documents that might otherwise be construed to be outside its scope.

12. If it is claimed that a document responsive to any request for production is privileged as attorney-client communication or attorney work product, or is otherwise protected from disclosure, identify such document and state the nature and basis for any such claim of attorney-client privilege, work product, or other ground for nondisclosure. With respect to all such documents, the term "identify" means to state: (1) the type of document, (2) the author of the document, (3) each individual or other person to whom the original or a copy of the document was sent, (4) the date of the document, and (5) the general subject matter of the document. Any part of a document for which you do not claim attorney-client privilege or work product protection should be produced.

DOCUMENTS TO BE PRODUCED

1. All rate schedules, including Seminole's Wholesale Service Rate to Members Rate Schedule SECI-7 and SECI-7b, in effect during the years 1996, 1997, 1998, 1999 and 2000.

2. All cost of service studies, cost analyses, workpapers, or any other documents, including all workpapers, prepared in support of Seminole's rate schedules in effect during the years 1996, 1997, 1998, 1999 and 2000, including Seminole's Wholesale Service Rate to Members Rate Schedule SECI-7, SECI-7b, and any other rate schedule currently effective.

3. All cost of service studies, cost analyses, workpapers or any other documents prepared by Seminole or by any other person or entity on Seminole's behalf during 1998, 1999 and 2000 which analyze Seminole's current rates or alternatives to Seminole's current rates.

4. All documents filed with the RUS during the years 1996, 1997, 1998, 1999 and 2000 (including RUS Form 12, and any documentation in support of Seminole's Wholesale Service Rate to Members Rate Schedule SECI-7, and Rate Schedule SECI-7b).

5. Seminole's Annual Report for 1999.

6. All documents provided to Seminole's member systems during 1998, 1999 and 2000 that relate to the development of new rates for Seminole's member systems.

7. All cost of service studies and wholesale rate design studies prepared during 1996, 1997, 1998, 1999 and 2000, including supporting workpapers for each study.

8. Seminole's trial balance for 1999.

9. All documents relating to any strategic plans approved by Seminole's Board of Directors during 1998, 1999 or 2000.

10. All documents relating to any plans to implement strategic goals relating to Seminole's rate structure that were developed during 1998, 1999 or 2000.

11. All documents, including overhead slides, utilized for the March 13, 1999 Seminole Rate Committee meeting.
12. All documents, including overhead slides, utilized for the April 9, 1998 Seminole Rate Committee meeting.
13. All documents, including overhead slides, utilized for the May 13, 1998 Seminole Rate Committee meeting.
14. All documents, including overhead slides, utilized for the May 14, 1998, Seminole Board of Directors meeting.
15. All supporting documentation for the calculation of Seminole's 1999 Revenue Requirement and any rate design workpapers for Seminole's Wholesale Service Rate to Members Rate Schedule SECI-7 and Rate Schedule SECI-7b.
16. All documents, including graphical representations, relating to Seminole's current power supply resources.
17. All currently effective wholesale power agreements for the purchase or sale of energy and/or capacity between Seminole and other utilities or energy providers with a term greater than six months.
18. All transmission service agreements between Seminole and other utilities.
19. Seminole's Fuel Adjustment Charge Reports for each month during 1999.

20. Minutes and all meeting notes from each Board of Directors meeting, Rate Committee meeting, or Rate Design workshop conducted by Seminole during 1998, 1999 and 2000.

21. Seminole's Fuel Adjustment Charge Reports for each month during 1999 and all supporting workpapers, including explanations for any adjustments made during the month.

22. All documents provided to members of Seminole's Board of Directors during any Board of Directors meeting, Rate Committee meeting, or Rate Design workshop conducted by Seminole during 1998, 1999 and 2000.

23. Copies of all slides or other visual aids used during any Board of Directors meeting, Rate Committee meeting, or Rate Design workshop conducted by Seminole during 1998, 1999 and 2000.

24. All documents reflecting any agreement between Seminole and each of its member cooperatives that relate to the provision or production of electricity.


25. All documents relating to any load management policy or program of Seminole.

26. All documents relating to Seminole's plans to construct new electrical generating facilities or to modify existing electrical generating units.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by Hand-Delivery to: Richard Melson, Hopping, Green, Sams & Smith, P.A., Post Office Box 6526, Tallahassee, Florida and William Cochran Keating and

David Wheeler, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; and by United States Mail to: Robert A. Mora, Allen Law Firm, Post Office Box 2111, Tampa, Florida 33601; Mr. Timothy Woodbury, Seminole Electric Cooperative, Inc., Post Office Box 272000, Tampa, Florida 33688-2000; John Noland, Henderson, Franklin, et al., Post Office Box 280, Ft. Myers, Florida 33902; and Mr. Frank Wilkerson, Post Office Box 3455 North Ft. Myers, Florida 33918-3455 all on this 4th day of May, 2000.



D. Bruce May
Florida Bar No. 354473
Karen D. Walker
Florida Bar No. 0982921
Holland & Knight LLP
Post Office Drawer 810
Tallahassee, Florida 32302
(850) 224-7000

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