



Public Service Commission

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

DATE: October 5, 2000 *OK JTD*

TO: J. Terry Deason, Chairman

FROM: Michael Haff, Division of Safety and Electric Reliability *MHA JTB*
 Wm. Cochran Keating, Division of Legal Services *WCK RVE*

RE: Docket No. 000982-EI - Petition by Florida Power & Light Company for Approval of Conditional Settlement Agreement Which Terminates Standard Offer Contracts Originally Entered into Between FPL and Okeelanta Corporation and FPL and Osceola Farms, Co.

By this memorandum, staff is requesting approval to file a revised recommendation in the above-referenced docket no later than 2:00 p.m., Monday, October 9, 2000. On August 24, 2000, staff filed a recommendation in this docket for consideration at the Commission's September 5, 2000, Agenda Conference. The recommendation addresses Florida Power & Light Company's (FPL) petition for the following relief: (1) approval of a settlement agreement to resolve litigation surrounding two standard offer contracts between FPL and two qualifying facilities (QFs); and (2) approval for recovery of the settlement amount through the fuel and capacity cost recovery clauses. The matter was deferred to the September 26, 2000, Agenda Conference, and deferred again to the October 17, 2000, Agenda Conference.

Since staff filed its recommendation, FPL filed testimony in the fuel and capacity cost recovery docket, Docket No. 000001-EI, which includes a specific proposal for recovery of the settlement amount through the fuel and purchased power cost recovery clauses. At the September 26, 2000, Agenda Conference, there were discussions regarding this proposal and discussions about calculation of the savings that would result from the settlement agreement. Staff recently met with certain Commissioners to further discuss these matters. As a result of these meetings, staff believes it is appropriate to supplement its recommendation to address these matters. Given that these meetings occurred within one day of the deadline for filing recommendations for the October 17, 2000, Agenda Conference, staff has not had sufficient time to adequately address these matters in a revised recommendation. Therefore, staff requests permission to refile its recommendation in this docket no later than 2:00 p.m., Monday, October 9, 2000.

- APP _____
- CAF _____
- CMP _____
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*Chairman Deason,
I recommend that this request
be granted!
Bill Talbot*

DOCUMENT NUMBER-DATE

12824 OCT-98

FPSC-RECORDS/REPORTING