

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for the Osprey Energy Center by Calpine Construction Finance Company, L.P.

DOCKET NO. 000442-EI
FILED: November 21, 2000

STAFF'S PRELIMINARY LIST OF ISSUES AND POSITIONS

Pursuant to the Order Establishing Procedure entered in this docket, the Staff of the Florida Public Service Commission hereby files its Preliminary List of Issues.

Issue 1: Are Seminole Electric Cooperative, Inc. and Calpine Construction Finance Company, L.P., "applicants" within the meaning of Section 403.519, Florida Statutes?

Position: Staff takes no position at this time, pending discovery.

Issue 2: Is the output of the proposed Osprey Energy Center fully committed for use by Florida customers who purchase electrical power at retail rates as recorded by the Florida Supreme Court in Tampa Electric Co. et al. v. Garcia, 25 Fla. L. Weekly S294 (April 20, 2000)?

Position: Staff takes no position at this time, pending discovery.

Issue 3: Is there a need for the proposed Osprey Energy Center, taking into account the need for electric system reliability and integrity, as this criterion is used in Section 403.519, Florida Statutes?

Position: Staff takes no position at this time, pending discovery.

Issue 4: Is there a need for the proposed Osprey Energy Center, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in Section 403.519, Florida Statutes?

Position: Staff takes no position at this time, pending discovery.

- APP _____
- CAF _____
- CMP _____
- COM 3 _____
- CTR _____
- ECR _____
- LEG _____
- OPC _____
- PAI _____
- RGO _____
- SEC 1 _____
- SER _____
- OTH _____

DOCUMENT NUMBER-DATE

15061 NOV 21 8

FPSC-RECORDS/REPORTING

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Issue 5: Do the requirements of Rule 25-22.082, Florida Administrative Code, "Selection of Generating Capacity," apply to Seminole Electric Cooperative, Inc.?

Position: Staff takes no position at this time, pending discovery.

Issue 6: Is the proposed Osprey Energy Center the most cost-effective alternative available, as this criterion is used in Section 403.519, Florida Statutes?

Position: Staff takes no position at this time, pending discovery.

Issue 7: Are there any conservation measures taken by or reasonably available to Seminole Electric Cooperative, Inc. which might mitigate the need for the proposed power plant, as this criterion is used in Section 403.519, Florida Statutes?

Position: Staff takes no position at this time, pending discovery.

Issue 8: Has Calpine Construction Finance Company, L.P., secured adequate natural gas transportation to the proposed facility?

Position: Staff takes no position at this time, pending discovery.

Issue 9: Based on the resolution of the foregoing issues, should the Commission grant the petition to determine the need for the proposed Osprey Energy Center?

Position: Staff takes no position at this time, pending discovery.

Issue 10: Should this docket be closed?

Position: Staff takes no position at this time, pending discovery.

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Dated this 21st day of November, 2000.

Respectfully submitted,

Rachael Isaac

Rachael Isaac
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Gerald L. Gunter Building
Tallahassee, Florida 32399-0850
(850) 413-6218

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
list of STAFF'S PRELIMINARY LIST OF ISSUES AND POSITIONS has been
furnished to the following by U.S. Mail this 21st day of November,
2000:

Joseph A. McGlothlin
McWhirter Reeves Law Firm
117 South Gadsden St.
Tallahassee, FL 32301

Robert W. Pass
Carlton Fields Law Firm
215 South Monroe St., Suite 500
Tallahassee, FL 32301

Timothy S. Woodbury
Vice President of Strategic
Services
16313 North Dale Mabry Highway
Tampa, FL 33618

Gary L. Sasso
Jill H. Bowman
Carlton Fields Law Firm
P.O. Box 2861
St. Petersburg, FL 33731

Robert Scheffel Wright
John T. LaVia, III
Diane K. Kiesling
Landers & Parsons, P.A.
P.O. Box 271
Tallahassee, FL 32302

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

Matthew M. Childs
Charles A. Guyton
Steel Hector & Davis, L.L.P.
215 South Monroe St., Suite 601
Tallahassee, FL 32301

James A. McGee
Senior Counsel
Florida Power Corporation
P.O. Box 14042
St. Petersburg, FL 33733

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Jon Moyle, Jr.
Moyle, Flanigan, Katz, Kolins,
Raymond & Sheehan, P.A.
The Perkins House
118 North Gadsden St.
Tallahassee, FL 32301



Rachael Isaac
Staff Attorney