

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2) and 366.07, Florida Statutes, with respect to rates offered under Commercial/Industrial Service Rider tariff; petition to examine and inspect confidential information; and request for expedited relief

Docket No. 000061-EI

RECEIVED-FPSC  
01 FEB -2 PM 4:13  
RECORDS AND REPORTING

**ODYSSEY MANUFACTURING COMPANY'S  
SECOND REQUEST FOR OFFICIAL RECOGNITION**

ODYSSEY MANUFACTURING COMPANY ("Odyssey"), by and through undersigned counsel, and pursuant to Section 120.569(2)(i), Florida Statutes, and Sections 90.202(5), 90.202(10), and 90.202(12), Florida Evidence Code, hereby files this Second Request for Official Recognition, and requests that the Commission take official recognition of the attached documents as certified by the custodian of official records of this Commission:

1. Florida Power Corporation approved Tariff Sheets: Original Sheet 6.360 and 6.361 (effective 8/18/98);
2. City of Lakeland Electric approved Tariff Sheets: Ninth Revised Sheet No. 8.3 (effective 11/1/95), Fifth Revised Sheet 8.3.1 (effective 11/1/95), Third Revised Sheet No. 8.3.2 (effective 5/1/95), Original Sheet No. 8.3.3 (effective 5/1/95), Fourth Revised Sheet No. 8.4 (effective 6/4/96), Third Revised Sheet No. 8.4.1 (effective 6/4/96), and Original Sheet No. 8.4.2 (effective 6/4/96); and

APP  
CAF  
CMP  
COM 5  
CTR  
EGR  
LEG I  
OPC  
PAI  
RGO  
SEC I  
SER  
OTH

RECEIVED & FILED  
*[Signature]*  
FPSC-BUREAU OF RECORDS

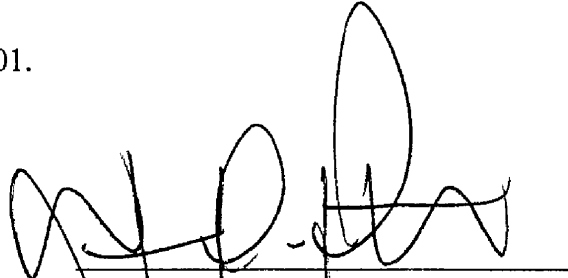
DOCUMENT NUMBER-DATE  
01550 FEB-26  
FPSC-RECORDS/REPORTING

3. Jacksonville Electric Authority approved Tariff Sheets: Second Revised Sheet No. 16.41 (effective 6/1/98), Third Revised Sheet No. 16.42 (effective 6/1/98), Third Revised Sheet No. 16.43 (effective 6/1/98), and Original Sheet No. 16.44 (effective 6/1/98).

Dated this 2<sup>nd</sup> day of February, 2001.

WAYNE L. SCHIEFELBEIN, ESQ.  
P.O. Box 15856  
Tallahassee, FL 32317-5856  
(850) 422-1013  
(850) 531-0011 (Fax)

And

A handwritten signature in black ink, appearing to read 'John L. Wharton', written over a horizontal line.

JOHN L. WHARTON, ESQ.  
JOSEPH P. PATTON, ESQ.  
ROSE, SUNDSTROM & BENTLEY, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301  
(850) 877-6555  
(850) 656-4029 (Fax)

*Attorneys for*  
**ODYSSEY MANUFACTURING COMPANY**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Request for Official Recognition has been furnished by Facsimile and U.S. Mail(\*), or by Hand Delivery(\*\*) to the following on this 2<sup>nd</sup> day of February, 2001:

Robert V. Elias, Esq. (\*\*)  
Marlene K. Stern, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Kenneth Hoffman, Esq. (\*\*)  
John Ellis, Esq.  
Rutledge Law Firm  
P.O. Box 551  
Tallahassee, FL 32302

Patrick K. Wiggins, Esq. (\*\*)  
Katz, Kutter, Haigler, et al.  
106 East College Avenue  
Tallahassee, FL 32301

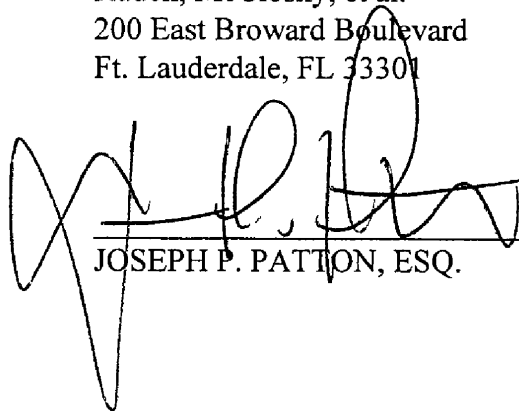
Harry W. Long, Jr., Esq. (\*)  
Tampa Electric Company  
P.O. Box 111  
Tampa, FL 33601

Lee Willis, Esq. (\*\*)  
James D. Beasley, Esq.  
Ausley & McMullen  
P.O. Box 391  
Tallahassee, FL 32303

Daniel K. Bandklayder, Esq. (\*)  
Anania, Bandklayder, et al.  
100 S.E. 2<sup>nd</sup> Avenue, Suite 4300  
Miami, FL 33131-2144

Philip A. Allen, III, Esq. (\*)  
Lucio, Bronstein, et al.  
80 S.W. 8<sup>th</sup> Street, Suite 3100  
Miami, FL 33131

Scott J. Fuerst, Esq. (\*)  
Ruden, McClosky, et al.  
200 East Broward Boulevard  
Ft. Lauderdale, FL 33301

  
\_\_\_\_\_  
JOSEPH P. PATTON, ESQ.

Odyssey/official recognition-2nd.req

STATE OF FLORIDA

Commissioners:  
E. LEON JACOBS, JR., CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI



CAPITAL CIRCLE OFFICE CENTER  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

Public Service Commission

CERTIFICATE

I, BLANCA S. BAYÓ, Director of Records and Reporting, Florida Public Service Commission, do certify that I am the duly appointed custodian of the official records of said Commission and, in that capacity, do certify that the attached pages (listed and described below) are true and correct copies of certain tariff sheets of Florida Power Corporation, Lakeland Electric & Water and Jacksonville Electric Authority, as shown in the records of the Commission.

WITNESS my hand and the seal of the Florida Public Service Commission this 2nd day of February, 2001.

Description of Tariff Sheets

Effective Dates

	<u>Beginning Date</u>	<u>Ending Date</u>
1. Florida Power Corporation:		
Original Sheet No. 6.360	August 18, 1998	Not applicable
Original Sheet No. 6.361	August 18, 1998	Not applicable
2. Lakeland Electric & Water:		
Ninth Revised Sheet No. 8.3	November 1, 1995	Not applicable
Fifth Revised Sheet No. 8.3.1	November 1, 1995	Not applicable
Third Revised Sheet No. 8.3.2	May 1, 1995	Not applicable
Original Sheet No. 8.3.3	May 1, 1995	Not applicable
Fourth Revised Sheet No. 8.4	June 4, 1996	Not applicable
Third Revised Sheet No. 8.4.1	June 4, 1996	Not applicable
Original Sheet No. 8.4.2	June 4, 1996	Not applicable
3. Jacksonville Electric Authority:		
Second Revised Sheet No. 16.41	June 1, 1998	July 1, 2000
Third Revised Sheet No. 16.42	June 1, 1998	October 1, 1998
Third Revised Sheet No. 16.43	June 1, 1998	July 1, 2000
Original Sheet No. 16.44	June 1, 1998	July 1, 2000

BLANCA S. BAYÓ

(SEAL)

By: Kay Flynn  
Kay Flynn, Chief of Bureau of Records



Rate Code  
Applicable General Service Schedule

Page 1 of 2

**RATE SCHEDULE GSED-1  
GENERAL SERVICE - ECONOMIC DEVELOPMENT RIDER**

**Availability:**

Available throughout the entire territory served by the Company. Customers desiring to take service under this tariff must make a written request for service.

**Applicable:**

To any customer, other than residential, for firm light and power purposes who meets the Qualifying Criteria set forth below. This rate provides for an Economic Development Rate Reduction applicable to the Non-Fuel Energy Charge and Demand Charge for billing of new load resulting from the establishment of new business or the expansion of existing business.

**Qualifying Criteria:**

For service under this rate, the new or expanding billing demand must equal at least 500 kw and be served at a single point of service.

The customer must be a target industry as defined by the Florida Office of Tourism, Trade, and Economic Development at the time of application.

The new or expanding qualified target industry business must provide at least 10 new jobs.

Newly created jobs must pay an average annual wage equal to at least 115% of the state, county, or Standard Metropolitan Statistical area wage.

The Company reserves the right to waive these criteria at the request of the Florida Office of Tourism, Trade, and Economic Development in the event the business locates in an enterprise zone or in an economically distressed rural community, city, or county.

The customer must execute a Customer Agreement.

**Character of Service:**

Continuous service, alternating current, 60 cycle, single-phase or three phase at option of the Company, at the Company's standard voltage available.

**Limitation of Service:**

Standby or Resale service not permitted hereunder. Service under this rate is subject to the Company's currently effective and filed "General Rules and Regulations for Electric Service."

**Rate Per Month:** Charges under the applicable firm General Service rate schedule adjusted by the Economic Development Rate Reduction Calculation.

**Economic Development Rate Reduction Calculation:**

The amount of the reduction will be determined on a case specific basis following the procedures as set forth in the Customer Agreement, and the period of the reduction will not exceed a term of five (5) years.

The reduction will be applied to the following Rate Per Month Charges for the new load: (i) Non-Fuel Energy Charge and (ii) Demand Charge. No reduction shall be applied to the following Rate Per Month Charges: (i) Customer Charge, (ii) Fuel Cost Recovery Factor, (iii) Energy Conservation Cost Recovery Factor, (iv) Capacity Cost Recovery Factor, and (v) the Sebring Rider (SR-1), if applicable. In the case of an expansion of an existing facility, the reduction will be applied to consumption in excess of the customer's base usage for the two years prior to expansion. If a customer has not been taking service for a full two years, an estimate of base usage will be made.

ISSUED BY: W. C. Slusser, Jr., Director, Pricing Department

EFFECTIVE:

AUG 18 1998



Rate Code  
Applicable General Service Schedule

Page 2 of 2

RATE SCHEDULE GSED-1  
GENERAL SERVICE - ECONOMIC DEVELOPMENT RIDER

**Term of Service:**

As stated in Economic Development Rider Customer Agreement.

**Special Provisions:**

1. Customers receiving service under this rate schedule will be required to execute a Customer Agreement for electric service with Florida Power Corporation. Such agreement shall be considered a confidential document and made available for review by the Florida Public Service Commission (FPSC) or its staff. Any such review shall be made under the confidentiality rules of the FPSC.
2. The rate charges to which the Economic Development Reduction Calculation shall be applied will be those on file and as approved from time to time by the FPSC.
3. All the terms and conditions of the otherwise applicable General Service rate schedule will be in effect under this rate schedule to the extent not inconsistent herewith.

ISSUED BY: W. C. Slusser, Jr., Director, Pricing Department

EFFECTIVE:

AUG 18 1998



RATE SCHEDULE IS  
GENERAL SERVICE  
INTERRUPTIBLE RATE

Rate IS  
Page 1 of 4

Available:

In all territory served by the Electric Department.

Applicable:

To any customer otherwise eligible for service under Schedule GSLD where the total metered demand is 500 kW or more and where service may be interrupted by the Electric Department to a maximum of 1200 hours per year for periods of duration of no greater than twelve (12) consecutive hours unless interruption of service is otherwise initiated automatically as a result of system disturbances or during emergency conditions.

Character of Service:

The electric energy delivered under this schedule shall be: A-C; 60 Hertz; three phase; at the standard utility voltage offered by the Electric Department.

Limitation of Service:

Resale not permitted under this rate schedule. Service hereunder is at the sole option of the Department, and may be interrupted if electric power and energy delivered hereunder is required to: 1) provide service to the Department's firm power customers during periods of capacity shortages; or 2) supply emergency interchange to other utilities for their firm load obligations. Each point of delivery served hereunder shall have installed special equipment to insure immediate discontinuance of service in the event of a system disturbance.

Net Rate Per Month:

Customer Charge:

Primary Metering Voltage \$726.30  
Secondary Metering Voltage \$567.30

Demand Charge: \$ 5.54 per kW of Billing Demand

Energy Charge: 2.737¢ per kWh

Minimum Bill:

Customer charge, demand charge, plus adjustments.

Adjustments:

Fuel adjustment, as contained in Schedule BA-1  
Florida Gross Receipts and Regulatory Tax Adjustment, as contained  
in Schedule BA-2  
10% Utility Tax inside City limits, as contained in Schedule BA-2  
10% Surcharge outside City limits, as contained in Schedule BA-2

(Continued to Sheet No. 8.3.1)



RATE SCHEDULE IS  
GENERAL SERVICE  
INTERRUPTIBLE RATE

Rate IS  
Page 2 of 4

(Continued from Sheet No. 8.3)

Payment:

Net bills are due when rendered and are payable within thirty (30) days thereafter.

Determination of Billing Demand:

The billing demand for the month shall be the maximum 30-minute integrated kilowatt demand in the month, but not less than 60% of the highest actual demand established during the most recent months of November, December, January, February or March.

Where charges specified in a rate schedule are based upon the measured maximum 30-minute integrated demand, it is intended that such demand shall fairly represent the capacity which the Department is required to stand ready to supply. In case of installations which use this service in a manner such that measurement over a 30-minute interval does not result in a fair or equitable measure of the supply capacity required to serve the customer's load, then the measured demand may be adjusted taking into account the known character of use and the rating data of the equipment connected, or from special tests, the intent being that the demand so determined shall fairly represent the customer's capacity requirement.

In cases where the Department elects to use connected load, instead of demand measurement, as the method for determining demand, it will take into account the known character of use and the rating data of the equipment connected, the intent being that the demand so determined shall fairly represent the customer's capacity requirement.

Primary Voltage Service:

Service at primary voltage, where available, will be supplied under this rate schedule upon request. When service is supplied at primary voltage the customer will own and maintain all substations, lines, transformer supporting structures, transformers and other equipment required for utilization of the delivery voltage. The Electric Department will own no equipment beyond the primary voltage metering point. A 1.2% metering voltage discount on demand and energy charges will be allowed when service is delivered and metered at primary voltage.

(Continued to Sheet No. 8.3.2)





RATE SCHEDULE IS  
GENERAL SERVICE  
INTERRUPTIBLE RATE

Rate IS  
Page 3 of 4

(Continued from Sheet No. 8.3.1)

**Delivery Voltage Discount:**

Customers receiving service at primary voltage shall receive a \$0.26 per kW discount for each kW of billing demand.

**Secondary Service Metered at Primary Voltage:**

In cases where secondary service is being supplied, but the Electric Department has elected to meter the service at primary voltage, there will be a discount of 1.2% applied to the demand and energy charges. After the effective date of April 1, 1983, no new secondary service will be constructed with metering at the primary voltage.

**Facilities Charge:**

When the customer requests and the Electric Department agrees to furnish, install, and maintain facilities for the exclusive use of the customer, such customer will be required to pay a facilities charge in addition to the above demand and energy rate. The facilities charge will be based upon the cost of such excess facilities.

**Terms and Conditions:**

Power factor at the time of the monthly peak demand must be maintained above 90%. Service hereunder is subject to the rules and regulations for electric service as adopted by the Department of Electric and Water Utilities from time to time and on file with the City Clerk.

**Temporary Discontinuance on Service:**

There will be no adjustments made for temporary discontinuance of service for seasonal or intermittent use of energy under this service schedule. Any customer prior to resuming service within twelve (12) months after discontinuance of service shall pay all charges which would have been billed had service been continued. Such bills shall be determined using zero (0) demand and energy meter readings for the period of service discontinuance.

**Special Provisions:**

1. When the customer increases his electrical load, which increase requires the Department to increase facilities installed for the specific use of the customer, a new Term of Service may be required under this rate at the option of the Department.

(Continued to Sheet No. 8.3.3)



RATE SCHEDULE IS  
GENERAL SERVICE  
INTERRUPTIBLE RATE

Rate IS  
Page 4 of 4

(Continued from Sheet No. 8.3.2)

Special Provisions: (Continued)

2. The Department may, under the provisions of this rate, at its option, require a special contract with the customer.
3. The Department will furnish service under this rate at a single voltage through one point of delivery and measured through one meter. Equipment to supply additional voltages or additional facilities for the use of the customer shall be furnished and maintained by the customer.
4. Customers taking service under this interruptible rate schedule who desire to transfer to a non-interruptible rate schedule will be required to give the Department written notice at least sixty (60) months prior to such transfer. Such notice shall be irrevocable unless the Department and the customer shall mutually agree to void the revocation.
5. Customers requesting service under this interruptible rate schedule must have a minimum of 500 kW of demand that is available for interruption during the utility's peak or emergency conditions.
6. Customers may, at their option, minimize interruptions hereunder by authorizing the Department to purchase power and energy from other sources for the customer's use during periods when interruptions are required. Customers will select this option prior to receiving service under this IS-1 Schedule. The selected option will be verified in writing. Should the customer decide no longer to receive energy or begin to receive energy under this option, the decision must be transmitted to the Department in writing. Lakeland will attempt to provide advanced notification to any customer selecting this option when such purchases are eminent or as soon as practical; thereafter, when advanced notice is not feasible. Similar notification will be provided upon termination of such purchases. The customer will be required to pay the actual charges of such optional purchases in lieu of the otherwise applicable energy charges (energy charge, capacity charge, and fuel adjustment) provided in this rate schedule. These costs shall be based on the customer's proportionate share of a higher cost of such purchased energy plus 1.87 mills per kWh. The cost of such purchased energy shall be based on the average cost of all purchased power and energy provided under this rate schedule and other similar provisions in Rate Schedule CSX during the corresponding calendar month.

Customers declining the option and not authorizing Lakeland to purchase power and energy and choosing to be interrupted, irrespective of the availability of the additional energy to Lakeland during the period in which an interruption occurred, will not pay any additional costs of such energy.



RATE SCHEDULE GSX-6  
LARGE HIGH LOAD FACTOR POWER SERVICE

Rate GSX-6

Page 1 of 3

Available:

In all territory served by the Electric Department.

Applicable:

To any general service customer whose highest 30-minute interval demand exceeds 1,000 KW for three (3) out of the twelve (12) most recent billing periods, including the current billing period, with a twelve (12) month average load factor of 60% or greater. All service hereunder will be supplied at one location through one point of delivery and measured through one meter.

Character of Service:

A-C; 60 Hertz; three phase; at any standard utility voltage level offered by the Electric Department.

Limitation of Service:

Not available for breakdown, standby, supplementary or resale service.

Net Rate Per Month:

Energy Charge: A base rate energy charge will be initially established at the same level as Lakeland's Interruptible Rate. The energy charge will be subject to adjustments as specified in the Agreement (See the "Special Provisions" section of this schedule) between Lakeland and the customer.

Demand Charge: A base rate demand charge will be initially established at the same level as Lakeland's Interruptible Rate. The demand charge will be subject to adjustments as specified in the Agreement (See the "Special Provisions" section of this schedule) between Lakeland and the customer.

Reservation Charge: A base reservation charge will be established in the Agreement. The reservation charge will be subject to adjustments as specified in the Agreement (See the "Special Provisions" section of this schedule) between Lakeland and the customer.

(Continued to Sheet No. 8.4.1)



RATE SCHEDULE GSX-6  
LARGE HIGH LOAD FACTOR POWER SERVICE

Rate GSX-6  
Page 2 of 3

(Continued from Sheet No.8.4)

**Term of Service:**

Service hereunder will be for a minimum initial period of ten (10) years (unless specified otherwise in the Agreement between the Department and the customer), and shall be continued thereafter until terminated by either party with twelve (12) months prior written notice.

**Primary Voltage Service:**

Service at primary voltage, where available, will be supplied under this rate schedule. When service is supplied at primary voltage, the customer will own and maintain all substations, lines, transformer supporting structures, transformers and other equipment required for utilization of the delivery voltage. The Department will own no equipment beyond the primary voltage metering point.

**Facilities Charge:**

When the customer requires the utility to furnish and install special facilities for the exclusive use of the customer, such customer will be required to pay a facilities charge in addition to the above rates. The facilities charge will be based upon the cost of such excess facilities.

**Terms and Conditions:**

Power factor at the time of the monthly peak demand must be maintained above 90%.

Service hereunder is subject to the rules and regulations for electric service as adopted by the Department of Electric & Water Utilities from time to time and on file with the City Clerk.

**Monthly Minimum Bill:**

Energy charge, demand charge, reservation charge, plus Adjustments.

**Adjustments:**

Fuel adjustment, as contained in Schedule BA-1  
Florida Gross Receipts and Regulatory Tax Adjustment, as contained in Schedule BA-2.  
10% Utility Tax inside City limits, as contained in schedule BA-2.  
10% Surcharge outside City limits, as contained in schedule BA-2.  
Florida State Sales Tax

(Continued to Sheet No. 8.4.2)



RATE SCHEDULE GSX-6  
LARGE HIGH LOAD FACTOR POWER SERVICE

Rate GSX-6  
Page 3 of 3

(Continued from Sheet No. 8.4.1)

Payment:

Net bills are due when rendered and are payable within thirty (30) days thereafter.

Determination of Demand:

Demand measurement for service under this rate schedule shall be the maximum 30-minute integrated kilowatt demand established on a monthly basis.

It is intended that the maximum 30-minute integrated demand measurement shall fairly represent the capacity which the Department is required to stand ready to supply. In case of installations which use this service in a manner such that measurement over a 30-minute interval does not result in a fair and equitable measure of the supply capacity required to serve the customer load, then the measured demand may be adjusted taking into account the known character of use and the rating data of equipment connected, or from special tests, the intent being that the demand so determined shall fairly represent the customer's capacity requirement.

Special Provisions:

1. Under the provisions of this rate, the Department will require a separate Agreement between the Department and the customer.
2. The Department will furnish service under this rate at a single voltage. Equipment to supply additional voltages or additional facilities for the use of the customer shall be furnished and maintained by the customer.

(Continued from Sheet No. 16.40)

The customer may elect either of the following two price options:

**Option A - Single Price with Peaking Price Rolled- In:**

Demand Charge: \$3.43 per kW for all kW of Billing Demand.

Energy Charge: 0.971 cent per kWh plus applicable Fuel Charge

**Option B - Peak Price Separately Listed:**

Demand Charge: \$3.43 per kW for all kW of Billing Demand.

Energy Charge: 0.721 cent per kWh plus applicable Fuel Charge

Peaking Price: 7.721 cent per kWh plus applicable Fuel Charge

Every day customers will be notified electronically by 4:00 p.m. Eastern Time of the time periods the "peaking price" will be in effect for the following day. Customers are required to notify JEA by 5:00 p.m. Eastern Time on the day of scheduled communication if the prices are not received.

Excess Reactive Demand Charge: \$1.00 per kVar of Excess Reactive Demand.

Fuel Charge As stated in the Fuel and Purchased Power Cost Recovery Charge Policy (Sheet No. 5.0).

Minimum Bill \$400.00 Customer Charge, plus any special service charges as defined in the agreement.

Determination of Billing Demand The Billing Demand for the month shall be the maximum integrated 15-minute metered kW demand in the month.

Definition of Average Load Factor Average load factor = 
$$\frac{12\text{-month average consumption (kwh)}}{12\text{-month average demand (kW)} \times 730 \text{ (hrs/month)}}$$

Definition of Interruptible Service Interruptible Service is electric service that can be interrupted either automatically or manually at the discretion of the JEA.

Definition of Peaking Price The JEA will activate the Peaking Price when JEA's marginal price meets or exceeds JEA's Combustion Turbine Price as listed in JEA's monthly Schedule A interchange report.

(Continued to Sheet No. 16.42)

(Continued from Sheet No. 16.41)

Determination  
of ExcessReactive Demand

Where there is an indication of a power factor of less than 90% lagging, the Jacksonville Electric Authority may, at its option, install metering equipment to measure for Excess Reactive Demand. The Excess Reactive Demand shall be the amount by which the maximum 15-minute recorded kVar during the month exceeds 50 percent of the maximum measured kW demand during the same period. The JEA will not backbill an account if it is found to have been undercharged for kVar due to JEA error.

Primary Service  
Discounts

A discount of \$.50 per kW of Billing Demand and 0.1 cent per kWh will be allowed for service taken at 4,160 volts or higher, but less than 69,000 volts, when the customer provides all the equipment required to take service at the Authority's existing primary lines.

Transmission  
Service Discount

A discount of \$1.53 per kW of Billing Demand and 0.2 cent per kWh will be allowed for service taken at 69,000 volts or higher, but less than 230,000 volts, when the customer provides all of the equipment required to take service at the Authority's existing transmission lines. A discount of \$2.03 per kW of Billing Demand and 0.3 cent per kWh will be allowed for service taken at 230,000 volts or higher.

Term of  
Service

Service under this rider shall be for a minimum initial term of 3 years from the commencement of service. Customers desiring to terminate service under this rate schedule and/or transfer to a firm rate schedule are required to give the JEA a minimum of thirty-six (36) months notice prior to the transfer. For contracts executed prior to December 31, 1997, the JEA may waive this notice requirement upon JEA's determination that there is sufficient capacity to provide firm service to the customer and that allowing the customer to receive firm service will have no adverse effect on the JEA's availability of providing firm service to JEA's existing and projected firm customers for the early termination period. For contracts executed after December 31, 1997, if the Customer elects to terminate this Agreement by furnishing JEA with less than thirty-six (36) months written notice, Customer shall pay an amount equal to 36 months of GSLD rate demand charges, or execute a General Service Large Demand Rider Electric Service Agreement (GSLDR-5).

If the customer agrees to extend the term of this Agreement to five (5) years, the JEA will provide the Customer a 2.5% discount on the electric charge as calculated by the Interruptible Tariff. After completion of two (2) years under the provisions of this option, the Customer may request the Agreement be terminated by providing thirty-six (36) months written notice prior to termination. Customers who have executed an Interruptible Service Agreement with JEA prior to the availability of this option are offered the opportunity to accept this option when it is effective. If the Customer elects this option, the five (5) year term of this Agreement commences upon execution of the revised Agreement.

(Continued to Sheet No. 16.43)

(Continued from Sheet No.16.42)

Buy-Through  
Provision

Customers served under this schedule may elect to have the JEA minimize interruptions as described in "limitation of service" by purchasing power and energy from other sources during periods of normal interruption. Such election must be made in writing to the JEA and shall be in effect until 12 months after the JEA is notified in writing that the customer no longer desires this optional provision. Should JEA not be able to arrange Buy-Through power, then the customer may, at its option, arrange for reliable delivery to JEA of the amount of power to be interrupted. The JEA will sell this power to the customer. The customer must notify the JEA of the power provider in sufficient time for the JEA to establish a contract with the provider, if none exists. When the JEA is successful in making such purchases, the customer will be required to pay JEA's cost of such purchase plus 3 mil per kWh, in lieu of the otherwise applicable energy charge listed in this schedule.

Terms and  
Conditions

- (a) Service will be made available under this rate schedule upon the execution of an Interruptible Service Agreement accompanied by payment of deposit or bond if required by the Authority.
- (b) Service hereunder shall be subject to the Rules and Regulations of the JEA.
- (c) JEA reserves the rights to modify terms and conditions of service under this rate schedule at any time and may terminate this schedule upon six (6) months written notice after having held a public hearing.
- (d) Customers taking service under another rate schedule who elect to transfer to this rate will be accepted on a first-come first-served basis. Required equipment will be installed accordingly, subject to availability. Service under this rate schedule shall commence with the first full billing period following the date of equipment installation.
- (e) The JEA reserves the right to interrupt electric service once each calendar year, upon 30 days advance notice or at a mutually agreed upon date and time, in order to test the availability and operability of interruptible capacity irrespective of JEA system capacity availability or operating conditions.
- (f) A customer electing the commencement of service under this tariff will be able to cancel interruptible service at any time between the period of October 1, 1996 to December 31, 1997 and return to JEA's standard rate schedule. After this initial period, the customer will be required to give JEA three (3) years notice to transfer, as further described in "Term of Service".

(Continued to Sheet No. 16.44)



(Continued from Sheet No.16.43)

- (g) Rider IS is applicable to Rate SS (co-generation) customers for billing rate and service term only. The Measured demand or the Contract demand of the SS contract (whichever is greater) will be billed at the IS tariff rate. Optional Time of Day billing is not allowed with Rider IS.
- (h) Election of JEA's Interruptible Service Rider will preclude the election of any other JEA Rider.
- (i) JEA and the customer may agree for JEA to provide additional services, including related water, sewer and energy services, vary the term of service, with a maximum total length of ten (10) years, and modify terms and conditions. As mutually agreeable, negotiated services, terms and conditions shall be set forth in the Interruptible Service Agreement.