

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Calpine Construction Finance Company, Inc.'s (Calpine) petition for waiver of certain requirements of Rule 25-22.082(2), Florida Administrative Code, filed December 7, 2000, in Docket No. 001748-EI, was considered at the January 16, 2001, Agenda Conference. The rule requires investor-owned electric utilities to solicit bids for supply-side alternatives prior to filing a petition for a determination of need for new generation under Section 403.519, Florida Statutes. Calpine requested, in the alternative, that the Commission determine that Rule 25-22.082(2), Florida Administrative Code, did not apply because Seminole Electric Cooperative, Inc. is a joint applicant in this proceeding, and is exempt from Rule 25-22.082, Florida Administrative Code. The waiver issue was determined to be moot after the Commission granted Calpine's alternative request that the rule did not apply in this case. Order No. PSC-01-0248-PCO-EC, issued January 29, 2001, memorialized the decision. Notice of the petition was published in the FAW on December 29, 2000. A copy of the Order can be obtained from either the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770, or the Commission's homepage at <http://www.floridapsc.com>.

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