

Notice of Development of Rulemaking

070000

**PUBLIC SERVICE COMMISSION**

RULE NO: RULE TITLE

25-22.081: Contents of Petition

PURPOSE AND EFFECT: The purpose of the rule is to implement 2007 changes to Section 403.519, F.S., which require the PSC to consider whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available when making its determination of need for a proposed electric power plant including an Integrated Gasification Combined Cycle (IGCC) plant. Undocketed.

SUBJECT AREA TO BE ADDRESSED: PSC filing requirements for a petition for determination of need under the Florida Electrical Power Plant Siting Act.

SPECIFIC AUTHORITY: 350.217(2), 366.05(1) FS

LAW IMPLEMENTED: 403.519 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathy Lewis, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6594. E-mail address is klewis@psc.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**25-22.081 Contents of Petition.**

(1) Petition for Fossil, Integrated Gasification Combined Cycle, or Nuclear Fuel Electric Plants. Petitions submitted to commence a proceeding to determine the need for a proposed fossil, integrated gasification combined cycle, or nuclear fuel electrical power plant or responses to the Commission's order commencing such a proceeding shall comply with the other requirements of Chapter 25-22, F.A.C., as to form and style except that a utility may, at its option, submit its petition in the same format and style as its application for site certification pursuant to Sections 403.501 through 403.517, F.S., so long as the informational requirements of this rule and Chapter 25-22, F.A.C., are satisfied. ~~The petition,~~ to allow the Commission to take into account the need for electric system reliability and integrity, the need for adequate reasonable cost electricity, the need for fuel diversity and supply reliability, ~~and~~ the need to determine whether the proposed plant is the most cost effective alternative available, and the need to determine whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available, the petition shall contain the following information:

(a) – (b) No Change.

(c) A statement of the specific conditions, contingencies or other factors which indicate a need for the proposed electrical power plant including the general time within which the generating units will be needed. Documentation shall include historical and forecasted summer and winter peaks, number of customers, net energy for load, and load factors with a discussion of the more critical operating conditions. Load forecasts shall identify the model or models on which they were based and shall include sufficient detail to permit analysis of the model or models. If a determination is sought on some basis in addition to or in lieu of capacity needs, such as fuel diversity, then detailed analysis and supporting documentation of the projected costs and benefits is required. Where a determination is sought for a nuclear or integrated gasification combined cycle power plant, the nonbinding estimate provided for in paragraph (2)(b) below shall be considered to be sufficient for purposes of this paragraph.

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(d) A summary discussion of the major available generating alternatives which were examined and evaluated in arriving at the decision to pursue the proposed generating unit. The discussion shall include a general description of the generating unit alternatives, including purchases where appropriate; and an evaluation of each alternative in terms of economics, reliability, long-term flexibility and usefulness and any other relevant factors such as fuel diversity and fuel supply reliability. These major generating technologies generally available and potentially appropriate for the timing of the proposed plant and other conditions specific to it shall be discussed. In addition, each investor-owned utility shall include a detailed description of the selection process used and a detailed description of the generating unit alternatives proposed by each finalist, if any, selected to participate in subsequent contract negotiations pursuant to Rule 25-22.082, F.A.C. No provision of Rule 25-22.082, F.A.C., shall be applicable to a nuclear or integrated gasification combined cycle power plant sited after June 19, 2006.

(e) – (g) No Change.

(2) In addition to complying with paragraphs (1)(a) through (g) above, a nuclear or integrated gasification combined cycle power plant petition shall contain the following information:

(a) The description required by Section 403.519(4)(a)2., F.S., including a discussion about how the proposed nuclear or integrated gasification combined cycle power plant will enhance the electric supply reliability by reducing the exposure to fossil fuel supply disruptions;

(b) A description of and a nonbinding estimate of the cost of the proposed nuclear or integrated gasification combined cycle power plant, including associated transmission facilities;

(c) The annualized base revenue requirement for the first 12 months of operation of the proposed nuclear or integrated gasification combined cycle power plant, based on the nonbinding estimate of the cost provided pursuant to paragraph (2)(b) above; and

(d) No Change.

Specific Authority 350.127(2), 366.05(1) FS.

Law Implemented 403.519 FS.

History—New 12-22-81, Formerly 25-2.133, 25-22.81, Amended 1-10-94, 2-20-07.

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## Notices Submitted to ACW or Confirmed by ACW

### Notices Submitted to ACW

ID	Rule No/ Organization	Rule Title	Section	Issue	Date
4547377	8/22/2007		Meeting	8/31/2007 Vol. 33/35	8/22/2007
<u>4505085</u>	25-6.0423	Nuclear Power Plant Cost Recovery	Rule	8/31/2007 Vol. 33/35	8/22/2007
✓ 4504891	25-22.081	Contents of Petition	Rule	8/31/2007 Vol. 33/35	8/22/2007
4473075	8/3/2007	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	8/24/2007 Vol. 33/34	8/15/2007
4473172	8/3/2007	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	8/24/2007 Vol. 33/34	8/15/2007
4508868	8/14/2007	Florida Public Service Commission	Meeting	8/24/2007 Vol. 33/34	8/15/2007
4516919	8/14/2007	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	8/24/2007 Vol. 33/34	8/15/2007

### Notices Confirmed by ACW

**None.**

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