

Notice of Variances and Waivers

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-17.250: Standard Offer Contracts

NOTICE IS HEREBY GIVEN that Progress Energy Florida, Inc.'s Petition for Waiver of Rule 25-17.250(1) and (2)(a), F.A.C. was approved by Commission Order No. PSC-09-0643-FOF-EI .

DOCKET NO. 080501-EI - Petition for Waiver of Rule 25-17.250(1) and (2)(a), F.A.C., which requires Progress Energy Florida to have a standard offer contract open until a request for proposal is issued for same avoided unit in standard offer contract.

Progress Energy Florida, Inc.'s (Progress) petition for a waiver of Rule 25-17.250 (1) and (2)(a), Florida Administrative Code was filed July 15, 2008. The rule provides that each investor-owned utility shall, by April 1 of each year, file with the Commission a Standard offer contract or contracts for the purchase of firm capacity and energy from renewable generating facilities and small qualifying facilities with a design capacity of 100 kW or less. A separate standard offer contract shall be based on the next avoidable fossil fueled generating unit of technology type identified in the utility's Ten-Year Site Plan. Notice of the petition was published in the FAW on August 8, 2008.

The petition was approved as a proposed agency action at the Commission's September 29, 2008, Agenda Conference. It was approved as the utility demonstrated that the purpose of the underlying statute could be approved by other means and that the application of the rule would create a substantial hardship. The Commission also approved Progress's standard offer contract at that time. Commission Order No. PSC-08-0706-TRF-EI issued October 23, 2008, memorialized the decision. On November 13, 2008, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs timely filed a petition for formal hearing, but did not challenge the waiver of rule. The formal hearing was held April 16, 2009. Following the hearing, the Commission issued Order No. PSC-09-0643-FOF-EI, on September 22, 2009, which approved the standard offer contract and consummated the grant of the waiver of the rule.

A copy of the Commission's orders may be obtained by contacting: Office of Commission Clerk, 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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Notices Submitted to ACW or Confirmed by ACW

Notices Submitted to ACW

ID	Rule No/ Organization	Rule Title	Section	Issue	Date
7756816	10/5/2009	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	10/16/2009 Vol. 35/41	10/7/2009
7756719	10/5/2009	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	10/16/2009 Vol. 35/41	10/7/2009
✓7743721	7/15/2008	Public Service Commission	Variances	10/16/2009 Vol. 35/41	10/7/2009
7723545	10/6/2009	Florida Public Service Commission	Meeting	10/9/2009 Vol. 35/40	9/30/2009
7725679	10/6/2009	Florida Public Service Commission	Meeting	10/9/2009 Vol. 35/40	9/30/2009
7725000	10/6/2009	Florida Public Service Commission	Meeting	10/9/2009 Vol. 35/40	9/30/2009

Notices Confirmed by ACW

None.

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