

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Determination of)
Cost Effective Generation Alternative) DOCKET NO. 140111-EI
To Meet Need Prior to 2018, by)
Duke Energy Florida, Inc.) FILED: JULY 17, 2014
_____)

**MOTION OF CALPINE CONSTRUCTION FINANCE COMPANY, L.P. TO ACCEPT
AS TIMELY THE TESTIMONY OF WITNESS TODD THORNTON**

Calpine Construction Finance Company, L.P. ("Calpine" or "CCFC"), pursuant to Rule 28-106.204, Florida Administrative Code ("F.A.C."), respectfully moves the Commission to accept the testimony of its witness, Todd Thornton, which was initially filed electronically shortly after 5:00 p.m. on Monday, July 14, 2014, but which, as explained below, is being filed in a condition-acceptable form contemporaneously with this motion. In summary, no prejudice will result from accepting the testimony as filed on this date, and no party objects to this motion, and accordingly, the Commission should grant this motion.

As stated above, Mr. Thornton's testimony in this docket was initially filed on July 14, 2014. On the morning of July 15, 2014, counsel for Calpine filed a Motion to Accept Testimony Filed Shortly After Close of Business on Filing Date. On July 15, 2014, Calpine's four testimonies in this docket and three testimonies in Docket No. 140110-EI were rejected because a notice of filing was not attached. Later that morning, notices were attached to the testimonies and these notices and

testimonies were filed. Four of the testimonies, including Mr. Thornton's in this docket, were rejected because the security settings in the redacted .pdf documents were making it impossible for the Clerk's Office to follow their filing procedures. The security settings were changed and the documents were filed again at approximately 3:30 p.m. At 5:15 p.m. on Tuesday, the Clerk's Office sent Schef Wright, Calpine's counsel, an e-mailed rejection of the Thornton testimony because it was a duplicate of the Hibbard testimony; Mr. Wright's secretary had inadvertently attached the Hibbard testimony instead of the Thornton testimony. Mr. Wright has been out of town since Tuesday morning and had limited access and availability to his e-mails and the 5:15 p.m. July 15 e-mail notification was not seen until after 5:00 p.m. on Wednesday, July 16, 2014.

In summary, due to several technical errors (.pdf security settings) and clerical oversights (e.g., inadvertently attaching Mr. Hibbard's testimony instead of Mr. Thornton's), this testimony, although attempted to be filed three times, is only now being filed in a Commission-acceptable form.

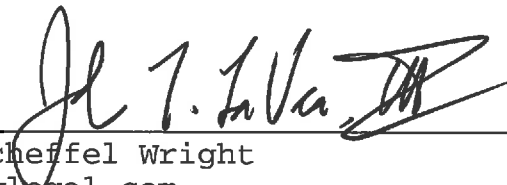
All parties were served with the available version (redacted in the case of Mr. Thornton's testimonies) by electronic mail at 5:23PM on July 14, 2014. Accordingly, no party has been prejudiced by this filing error.

Counsel for Calpine has communicated with the other parties to this docket and are authorized to represent that Duke Energy Florida, NRG Florida, the Office of Public Counsel, PCS-Phosphates, FIPUG, and the Commission Staff do not oppose this motion.

CONCLUSION AND RELIEF REQUESTED

WHEREFORE, because no party has been prejudiced by the delays described above, Calpine respectfully requests the Commission to enter its order granting this motion and accepting the testimony of Calpine's witness Todd Thornton as timely filed.

Respectfully submitted this 17th day of July 2014.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic delivery, on this 17th day of July, 2014.

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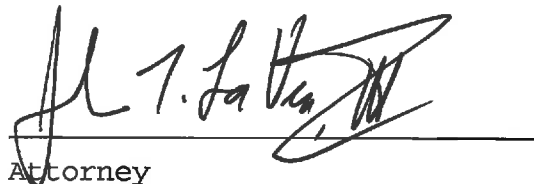
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