

MINUTES OF SEPTEMBER 30, 2002

SPECIAL COMMISSION CONFERENCE

COMMENCED: 9:30 a.m.

ADJOURNED: 5:30 p.m.

COMMISSIONERS PARTICIPATING: Chairman Jaber
Commissioner Deason
Commissioner Baez
Commissioner Palecki
Commissioner Bradley

Parties were allowed to address the Commission on items designated by double asterisks (**).

1** Docket No. 020398-EQ - Proposed revisions to Rule 25-22.082, F.A.C., Selection of Generating Capacity.

Critical Date(s): None

Rule Status: Proposed

Commissioners Assigned: Full Commission

Prehearing Officer: Baez

Staff: ECR: Ballinger, Hewitt

CMP: Futrell

GCL: Brown

ISSUE 1: Should the Commission approve the proposed Stipulation offered by the Investor-Owned Electric Utilities dated August 20, 2002?

PRIMARY RECOMMENDATION: No, not in its current form.

However, if the IOUs agree to expand the business practices listed in the proposed Stipulation to include application of the existing rule to capacity additions of 150 megawatts or greater, then the proposed Stipulation (Attachment A of staff's September 19, 2002 memorandum) would be consistent with the Commission's directive at the January 18, 2000 Agenda Conference.

ALTERNATE RECOMMENDATION: Yes. The Stipulation should be approved and the docket closed.

DECISION: The primary recommendation was approved with the modification that the stipulation is not accepted in any form. The alternative recommendation was denied.

Minutes of
Special Commission Conference
September 30, 2002

ITEM NO.

CASE

ISSUE 2: Should the Commission propose to amend Rule 25-22.082, Florida Administrative Code?

RECOMMENDATION: If the Commission wishes to expand the scope of the existing rule to encompass repowering projects and major capacity additions not covered by the existing rule, then the Commission should propose the revisions to Rule 25-22.082, F.A.C., Selection of Generating Capacity, contained in Attachment C of staff's memorandum.

DECISION: The recommendation was approved with the modifications, additions and deletions addressed at the conference. The rule is set for hearing.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: If the Commission does not close the docket on its own motion or accept the Stipulation by the IOUs, this docket should remain open. A hearing date should be established to provide all interested persons the opportunity to present evidence on the merits of the proposed rule.

DECISION: The recommendation was approved.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

Commissioner Bradley dissented on all issues.