

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.) JULY 15, 2014
_____)

**MOTION OF CALPINE CONSTRUCTION FINANCE COMPANY, L.P. TO ACCEPT
TESTIMONY FILED SHORTLY AFTER CLOSE OF BUSINESS ON FILING DATE**

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 testimonies and exhibits of its witnesses, Todd Thornton, Paul Hibbard, John L. Simpson, P.E., and David Hunger, Ph.D., which were filed shortly after the 5:00 P.M. filing deadline provided by the procedural orders in this docket.

In summary, Calpine's counsel experienced technical and clerical delays in redacting the confidential testimonies of Mr. Thornton and Mr. Hibbard, and in assembling the complete set of testimonies for filing, with the result that the redacted versions all were filed shortly after the 5:00 P.M. filing deadline. The confidential versions were filed early in the morning of July 15, 2014.

Specifically, the testimonies of Dr. Hunger, Mr. Simpson, Mr. Thornton, and Mr. Hibbard in this docket were filed at 5:03PM, 5:09PM, 5:10PM, and 5:12PM, respectively.

All parties were served with the publicly available versions

(redacted in the case of Mr. Thornton's and Mr. Hibbard's testimonies) of the testimonies and exhibits by electronic mail at 5:23PM. Duke and the Office of Public Counsel will receive their copies of the confidential filings in due course, by Federal Express delivery on Tuesday morning, July 15, 2014. Accordingly, all parties received their service copies of the publicly available testimonies and exhibits within a few minutes of the 5:00PM filing deadline, and Duke and OPC will in fact receive their service copies of the confidential testimonies and exhibits exactly as they should, by overnight delivery on the morning of July 15, 2014. Accordingly, no party has been prejudiced by the slightly late filing.

The undersigned has attempted to communicate by telephone and by electronic mail with the other parties to this docket (and its companion, Docket No. 140110-EI), and is authorized to represent the parties' positions with respect to this motion as follows. Duke Energy Florida, Inc. and NRG Florida do not object to the motion. PCS Phosphates and the Office of Public Counsel support the motion. The undersigned was not able to reach the Commission Staff to ascertain their position.

CONCLUSION AND RELIEF REQUESTED

WHEREFORE, because no party has been prejudiced by the slight, inadvertent delays described above, Calpine respectfully requests the Commission to enter its order granting this motion

and accepting the testimonies and exhibits of Calpine's witnesses as timely filed.

Respectfully submitted this 15th day of July 2014.

A handwritten signature in blue ink that reads "Robert Scheffel Wright". The signature is written in a cursive style and is positioned above a horizontal line.

Robert Scheffel Wright

schef@gbwlegal.com

John T. LaVia, III

jlavia@gbwlegal.com

Gardner, Bist, Wiener, Wadsworth, Bowden, Bush,
Dee, LaVia & Wright, P.A.

1300 Thomaswood Drive

Tallahassee, Florida 32308

Telephone (850) 385-0070

Facsimile (850) 385-5416

Attorneys for Calpine Construction
Finance Company, L.P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following by electronic mail on this 15th day of July 2014.

Curt Kiser
Michael Lawson
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

J.R. Kelly
Charles Rehwinkel
Erik L. Saylor
Office of Public Counsel
c/o the Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

John T. Burnett
Dianne M. Triplett
Duke Energy Florida, Inc.
P.O. Box 14042
St. Petersburg, Florida 33733

Matthew R. Bernier
Paul Lewis, Jr.
Duke Energy Florida, Inc.
106 East College Avenue, Suite 800
Tallahassee, Florida 32301

James Michael Walls
Blaise N. Gamba
Carlton Fields Jordan Burt, P.A.
4221 West Boy Scout Boulevard, Suite 1000
Tampa, Florida 33607-5780



Attorney