



# FECA

Florida Electric Cooperatives Association, Inc.

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ORIGINAL

February 2, 1998

Ms. Blanca Bayo, Director  
Division of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: Docket 971313-EU

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are Peace River Electric Cooperative, Inc.'s Proposed Issues.

Thank you for your assistance in this matter.

Sincerely,

Michelle Hershel  
Director of Regulatory Affairs

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DOCUMENT NUMBER-D  
01706 FEB-2  
FPSC-RECORDS/REPOR

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of IMC-Agrico Company )  
for a Declaratory Statement Confirming )  
Non-Jurisdictional Nature of Planned )  
Self-Generation. )

DOCKET NO. 971313-EU  
FILED: February 2, 1998

**PEACE RIVER ELECTRIC COOPERATIVE, INC.'s  
PROPOSED ISSUES**

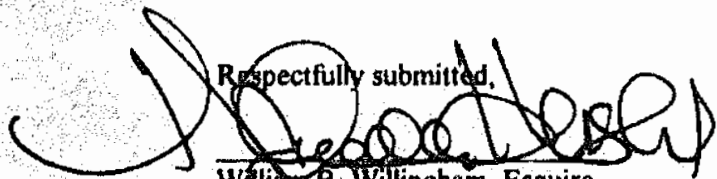
Pursuant to Rule 25-22.038(3), Florida Administrative Code, and Order No. PSC-98-0128-PCO-EU issued January 23, 1998 ("Order Establishing Procedure"), Peace River Electric Cooperative, Inc. ("PREC"), by and through its undersigned counsel, hereby submits its Proposed Issues to the Florida Public Service Commission ("Commission") in the above-captioned docket.

**PROPOSED ISSUES**

**ISSUE 1:** Has IMCA established facts sufficient to validate that the proposed lease of capacity from Duke/IMCA is true self-generation rather than a prohibited retail sale?

**ISSUE 2:** Has IMCA provided the necessary documents with respect to the development, construction, financing, ownership or operation of the project, for review by the Commission, that will ensure that IMCA's proposed arrangement does not constitute a prohibited retail sale?

**ISSUE 3:** Has IMCA established that the proposed project will not result in an uneconomic duplication of generation, transmission or distribution facilities in accordance with Section 366.04, Florida Statutes?



Respectfully submitted,

William B. Willingham, Esquire  
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and  
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ATTORNEYS FOR PREC

DOCUMENT NUMBER-DATE  
01706 FEB-28  
FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Proposed Issues, filed on behalf of Peace River Electric Cooperative, Inc., has been furnished by U.S. Mail, facsimile or hand delivery this 27 of February, 1998 to the following:

Mr. Richard Bellak  
Staff Attorney  
Division of Appeals  
Florida Public Service  
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