

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
BOOK

In The Matter Of  
Florida Power & Light Company  
(St. Lucie Plant, Unit No. 2)

'82 JAN 26 P3:05

Docket No. 50-389A  
Florida Cities  
1/26/82

FLORIDA CITIES' RESPONSE  
TO FLORIDA POWER & LIGHT COMPANY OBJECTIONS



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January 26, 1982

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FLORIDA CITIES' RESPONSE  
TO FLORIDA POWER & LIGHT COMPANY OBJECTIONS

Pursuant to the December 11, 1981 Order of the Atomic Safety and Licensing Board in the above-captioned proceeding, Florida Cities hereby respond to those objections of Florida Power & Light Company ("FPL") on which the Company seeks oral argument (FPL Objections at 1-32). Cities rely on prior pleadings answering FPL's other objections (at 32-40).

A. Contrary To FPL's Objection, The Gainesville Decision Provides A Basis For Finding A Situation Inconsistent With The Antitrust Laws.

FPL contends that the Gainesville decision does not serve as basis for a finding of "situation inconsistent" because (1) the Gainesville conspiracy has ceased and (2) there is no showing of the "impact" of the conspiracy. The first contention misses the point. The second misstates the facts and the law.

1. Cessation of conspiracy. Cities do not contend that Florida Power has continued to be part of a conspiracy with FPL. Cities do contend and FPL admits, even insists, that it desires unilaterally to continue to engage in the territorial restrictions which were the essence of the conspiracy. Through the deposition testimony of FPL Board Chairman Marshall McDonald <sup>1/</sup> and presentations of counsel in this proceeding, FPL proclaims

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<sup>1/</sup> See App. B at Tr. 99-100 to Cities' "Motion To Establish Procedures," dated May 27, 1981.

that it sees no need to alter its behavior in light of Gainesville and will not voluntarily do so.

There is no dispute that planning for FPL's nuclear units and FPL's other existing large and efficient base load units was undertaken prior to Florida Power's withdrawal from the conspiracy by consent decree in 1971. In refusing to make power from these plants available to those within the "Florida Power Corporation territory," FPL willfully seeks to maintain and reap the fruit of its illegal activity. Thus, FPL's present actions are manifestly calculated to maintain a previously established "situation inconsistent." 1/ Moreover, as the Board found, FPL has not only been adjudged a violator of §1 of the Sherman Act, but also has been found to have monopoly power. Placed in the context of the obligations of FPL as a monopolist under §2 of the Sherman Act, FPL's attempt to maintain and/or enhance its retail monopoly by the continued assertion of practices that have been found unlawful in their conspiratorial inception is a violation of §2, as well as of the standards of the Atomic Energy Act. 2/

In its Objections FPL argues once again that there are business justifications for its policy. It argues that "the addition of new wholesale loads to its system would increase the costs borne by all other customers." (Objections at 5). As Cities have previously shown, FPL's purported justification is irrelevant as a matter of law and is inconsistent as a matter of fact with FPL's retail sales promotion, etc. 2/ In addition, FPL claims that,

1/ As we show, infra at 19, the Appeals Board has repeatedly stated that the mere fact that a conspiracy has terminated is not of significance. What is significant--and what provides additional support for the Board's finding here--is the fact that there is no evidence that FPL intends to abandon its anti-competitive scheme. Cf. Consumers Power Co. (Midland Plant, Units 1 and 2) ALAB-452, 6 NRC 892 at 1032 (1977) (hereinafter "Midland").

2/ See Florida Cities' Reply, September 28, 1981, pp. 3-19. For example, there is ample evidence that while FPL did not want to sell wholesale power to any Cities (inside or outside), it was happy to acquire them and serve them at retail. See the striking deposition testimony of FPL Vice President Ben H. Fuqua, at App. A to Cities' Reply Memorandum to FPL, id.

in any case, "it is rare for electric utilities to sell wholesale power to other utilities that are not adjacent ..." (Objections at 6). 1/ But FPL does not suggest that any of the utilities it would refer to have engaged in conspiracies or other unlawful actions to limit service and have continued the discrimination following judgment.

2. Impact of conspiracy. FPL states that the Board cannot rely on the Gainesville decision as a basis for imposing license conditions compelling FPL to sell wholesale power because no "impact" has been shown. FPL's position amounts to an argument that this Commission must investigate the actual competitive harm resulting from a violation which is illegal per se under the Sherman Act before it can find a situation inconsistent. This is simply not the law, and so the Appeals Board found:

We reject categorically ... [the applicant's] assertion that we may not condemn their territorial agreements with other utilities without assessing their actual impact on competition. An agreement between competitors to divide markets territorially is illegal per se. United States v. Topco Associates, 405 U.S. 596 (1972); Gainesville Utilities Dept. v. Florida Power & Light Co., 573 F.2d 292 (5th Cir.), cert. denied, 53 L.Ed.2d 424 (1978). Therefore it is unnecessary to inquire into its actual effect on the market in question.

Toledo Edison Co. et al. (Davis-Besse Nuclear Power Station Units 1, 2 and 3) ALAB-560, 10 NRC 265 at 375 (1979) (hereinafter "Davis-Besse"). In Davis-Besse, the Appeals Board found a situation inconsistent on the basis of the per se illegal agreements and granted relief, without making the sort of inquiries FPL would now have the Board undertake. 2/

1/ It appears that FPL has discriminatorily refused to deal with some Cities "abutting .. a rural electric cooperative or portion thereof which is supplied at wholesale by FPL .." That is one of FPL's own alternative criteria for service. See Florida Cities' Objections, January 14, 1982, pages 21-22.

2/ FPL's argument seems to encompass the idea that, to obtain relief, Cities must make the sort of showing they would have to make to be entitled to damages under §4 of the Clayton Act. The Appeals Board rejected this argument in Midland where it noted that requirements associated with a showing under §4

Furthermore, the evidence proves "impact" from the conspiracy. As Opinion 57 found, the conspiracy has artificially constrained the development of the wholesale market in Florida; and "actual competition has been inhibited by FPL." 32 PUR 4th 323, at 523. FPL can hardly argue that it has no competition when it has acted to stifle it. 1/

Other arguments raised by FPL are likewise beside the point and at odds with the facts. FPL states that there is no evidence that Cities would have approached FPL to purchase wholesale power, and that their ability to compete was impaired without it. In view of FPL's well known policy of refusing to wholesale, e.g., as testified to by Mr. Fuqua and FPL President Fite, the argument ill-behooves FPL. On previous occasions, the Appeal Board has found that specific requests are not required under such circumstances, Midland,

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FOOTNOTE CONTINUED FROM PREVIOUS PAGE

-- in that instance, a specific demand for service -- were not relevant to the determination of whether an antitrust violation exists itself. Midland, supra, 6 NRC at 1039 (1977). As the Board recognized, focusing on questions which may have relevance under §4 only obscures the core question which the Board must resolve before granting relief, that is, whether a situation inconsistent exists.

FPL misinterprets the Farley decision. In Alabama Power Company (Farley Nuclear Plant, Units 1 and 2), ALAB-646, 13 NRC 1027 (1981), (hereinafter "Farley"), the Licensing Board held certain non-generating municipals ineligible for an order requiring the applicant to offer them nuclear ownership participation. However, all entities including those municipals, were granted relief from various company-asserted restrictions on wholesale and other bulk power services. Id. at 1109.

1/ Despite FPL's action to limit the wholesale market in Florida, FPL has admitted competition between FPL and "outside" Cities. See e.g., Cities' "Motion," Doc. 84, in which FPL expressly recognizes Tallahassee as a competing seller of wholesale power. See also, of course, the competition for purchases and sales in the "power broker." (Oral argument, Tr. 1251, 1298, 1326-1329). Moreover, there is no reason to suppose FPL and Cities must be in a competitive relationship with each other for Cities to prevail against the maintenance of a market division that was established by a conspiracy. In St. Paul Fire & Marine Insurance Co. v. Berry, 438 U.S. 531 (1977) the Court found that an agreement among insurance companies that restricted doctors to purchasing insurance from one company (as here, where Cities have been effectively restricted from all but one supplier) was illegal even though the boycotters and the ultimate target were not in a competitive relationship with one another.



supra, 6 NRC at 1038-1040. In fact, however, outside Cities have requested and been denied wholesale power from FPL (see App. A, Docs. 1, 2). Furthermore, outside Cities do purchase wholesale power (from Florida Power), and there is no suggestion that they would not have benefitted from the availability of a competing source (either by purchasing it, or by the competitive effect on the terms and price at which it is available from Florida Power).

FPL, citing the Bivans affidavit, contends (at 8) that during the period of the Gainesville conspiracy "FPL was disinclined to sell wholesale power outside its service area because of other demands on its system." However, as noted above, FPL has admitted that it was simply disinclined to sell wholesale power to any municipal system because, as FPL's Fuqua spelled out on deposition, supra, p. 3 fn. 1 at Tr. 20, 21, it feared the effect of competition on its retail monopoly. As to the "other demands on its system," FPL continually offered to acquire municipals and serve them at retail, while it refused to sell to them at wholesale see, Florida Power & Light Co., Opinion 57, 32 PUR 4th 313 (1979). Furthermore, during the 1950's and 1960's, FPL was not only actively promoting industrial and residential load (see App. A, Doc. 3), but also seeking to eliminate the "competitive threat" of self-generation within its service area by turning industrial self-generators into FPL customers (App. A, Docs. 4, 5).

B. Contrary To FPL's Objection, Opinion 57 Provides A Basis For Finding A Situation Inconsistent.

FPL next says Opinion 57 provides no basis for finding a situation inconsistent because (1) FERC did not find that FPL acted anticompetitively; (2) collateral estoppel is not applicable to "evidentiary facts" and (3) the Board has ignored the "present availability of wholesale services."

1. Findings of anticompetitive conduct. FPL's first argument is, again, not new. The FERC is not empowered to find violations of the antitrust law, and therefore in Opinion 57, disclaimed any attempt to do so. The FERC

is required to consider antitrust laws in its enforcement of its "public interest" mandate. In doing so, it found and recounted an abundance of "anti-competitive conduct" by FPL.

As Opinion 57 spelled out, in the proceeding leading to Opinion 57, "(T)he allegations and evidence of staff and the intervenors together with the associated responses of the company have coalesced into issues typically examined in the context of a monopolization case under Section 2 of the Sherman Act." 32 PUR 4th at 315. The FERC expressly found that FPL had engaged in "anticompetitive conduct." 32 PUR 4th at 326 and 340. FPL states (at 11) that the Commission "did not possess 'an extensive record on the past conduct of (FPL) towards its customers or its intent in establishing or maintaining a restrictive rate provision.' (Id. at 326)." FPL has mischaracterized Opinion 57. While the FERC said that it was not always "necessary in our deliberations to have an extensive record on the past conduct of a utility ..," etc., the FERC went on to state what FPL has failed to note: "In the case before us a full record has been compiled ... the testimony of witnesses presented by staff and cities is a summary recapitulation of hundreds of pages of correspondence and internal company documents contained in over 200 exhibits ... " (Id.). The bulk of the Opinion, as FPL again fails to note, is a recounting of the evidence of "anticompetitive conduct," 1/ 32 PUR 4th at 326 and 340 to which, as the Commission noted, FPL's response "is essentially a demurrer." (32 PUR 4th at 326).

FPL further argues that its assertions regarding the scope of Opinion 57 were confirmed by the Fifth Circuit in Florida Power & Light Co. v. FERC, No. 80-5259 (5th Cir., November 6, 1981). The Court stated that a reference to

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1/ FPL's reference (at 11) to the Opinion's recounting of "a history of friction between FPL and certain municipal systems" may be the closest FPL can come to acknowledging what the Commission itself termed "anticompetitive conduct." This is a further manifestation of FPL's recalcitrance in the face of final orders by court and commission.

Opinion 57 in the Commission's transmission order "did not amount to a finding [in the order under review] of any specific anticompetitive activity or of any antitrust violation" so as to justify the remedy in the order under review. Slip opinion pp. 12820-12821. Whether or not Opinion 57 arguably justified the particular transmission remedy in the subsequent order -- the FERC's powers to require transmission are circumscribed -- there can be no dispute that Opinion 57 expressly found a broad array of "anticompetitive conduct." Transmission relief is more generally left to antitrust courts (see FPL v. FERC, at 12817) and to the NRC under §105 of the Atomic Energy Act, 42 U.S.C. §2135 see Davis-Besse, supra, 10 NRC at 287-295 including item 3 in fn. 60 at 288-289.

FPL again claims 1/ that its refusals to deal may be justified by "legitimate business reasons" and says that FERC made no effort to consider whether FPL's actions were justified by legitimate business reasons. "Indeed," says FPL (at 12) "FPL lacked a meaningful opportunity to offer testimony about the business justifications for its conduct." FPL's contention is groundless. The essence of FPL's case in Opinion 57 was its claim that the restrictions were required by operational constraints and that it was

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1/ FPL cites Official Airlines Guide Inc. v. FTC, 630 F.2d 920 (2d Cir. 1980) and California Computer Products Inc. v. International Business Machines Corp., 613 F.2d 727 (9th Cir. 1979). Neither are on point. In Official Airlines Guide, a case arising under §5 of the Federal Trade Commission Act, the publisher of an airline scheduling book without any coercive action had refused to deal and (a) there was no effect on competition in its own market or an adjacent market in which the monopolist also engaged (either in the form of a benefit to the monopolist or impediment to its competitors) or (b) proof of anticompetitive purpose or intent. In Opinion 57, FPL was directly engaged in conduct which affected competition in its market; in such circumstances, Official Airlines Guide specifically recognizes "lack of anticompetitive intent will not ... justify a monopolist's arbitrarily injuring competition ..." Id. at 926. Cal-Comp, holds that a monopoly is free to act pro-competitively, but states that a monopoly violates the law if it acts to unreasonably restrict trade. No specific intent is required, contrary to FPL's suggestion. Indeed, even under the Rule of Reason, the true test of legality is whether the restraint merely regulates and perhaps promotes competition or whether it is such as may suppress or even destroy competition. National Society of Professional Engineers v. United States, 435 U.S. 679, 691 (1977).

sufficient for FPL to offer higher-priced, shorter term service.

As the Commission found, at 32 PUR 4th 336, the difficulty with FPL's attempted justification based on alleged operational restraints was that "it has virtually no record support and is based on a few conjectural statements by company witnesses." FPL's proposed alternative of a higher-priced lesser service was rejected by the FERC as no defense: "Such offers to sell at impractical prices and terms have been construed as unlawful refusals to deal, when done to further monopoly power." 32 PUR 4th at 339. In short, FPL business justification defense has not merely been tried and found wanting, but its substance has been characterized as "anticompetitive." 32 PUR 4th at 339.

2. Evidentiary facts. FPL contends (at 14) that the FERC "never concluded that FPL had engaged in anticompetitive behavior" and that the FERC's narrative of "evidentiary" facts in Opinion 57 is therefore "not entitled to collateral estoppel effect." FPL is in error. The FERC concluded expressly that FPL had engaged in "anticompetitive conduct." 32 PUR 4th at 326, 340; see Argument B1, above. FPL's anticompetitive conduct was one of the ultimate facts found in the FERC proceeding, just as it has been one of the ultimate facts found by the Board in this NRC proceeding. The facts narrated by the FERC were necessary for its conclusion. Therefore, according to established standards of collateral estoppel, those facts are conclusively established.

FPL invokes The Evergreens v. Nunan, 141 F.2d 927 (2d Cir. 1944), cert. denied, 323 U.S. 720 (1944). That case is of no avail to FPL. There, the taxpayer's basis for improved parcels had been valued at \$1.55 per square foot in a prior case. In the second case, the taxpayer attempted to force the Internal Revenue Service to value other, partially improved parcels at \$1.55 less the cost of fully improving the parcels; but the Court declined to estop the Internal Revenue Service from taking a more direct approach to valuing the partially improved parcels.

In its Evergreen decision, the Second Circuit observed a distinction between "ultimate facts" and "mediate data" (sometimes called "evidentiary facts"). The Court discerned no mediate data in the prior suit that would compel any conclusion about the value of partially improved parcels in the second suit. 141 F.2d at 929, 930-931. Nothing there has the slightest bearing on the probity of Opinion 57 in the proceeding before the NRC.

FPL also cites (at 14) Yates v. United States, 354 U.S. 298 (1957). One of the defendants in Yates had been the subject of a denaturalization proceeding years before, where it had been found that he had not, prior to 1927, adopted an interpretation of the Communist Party's teachings featuring "agitation and exhortation calling for present violent action." 364 U.S. at 336. The Supreme Court held that legal issues, the times and circumstances, etc. were different in that prior naturalization proceeding than in the Yates case, so that collateral estoppel could not apply. Furthermore, the Supreme Court held that the defendant was not entitled to have the prior findings presented to the jury as an evidentiary instruction. As the Supreme Court stated, "merely evidentiary" facts are not entitled to collateral estoppel. 354 U.S. at 338. "That doctrine makes conclusive in subsequent proceedings only determinations of fact, and mixed fact and law, that were essential to the decision." 354 U.S. at 336. The facts as decided in Opinion 57 were not merely evidentiary, but were essential to the FERC's decision and have a direct bearing on the ultimate facts found by the Board in this proceeding. Collateral estoppel therefore applies.

In any event, the distinction in Evergreens and in Yates between ultimate facts and mediate data (or evidentiary facts) has not proved workable. For example, the Restatement, Judgments (cited by FPL at 14) originally relied on Evergreens. However, the Restatement has been redrafted to criticize and reject the Evergreens distinction. Restatement, Judgments, Tentative Draft No. 4 (1977):

Such a formulation is occasionally used to support a refusal to apply the rule of issue preclusion when the refusal could more appropriately be based on the lack of similarity between the issues in the two proceedings. If applied more broadly, the formulation causes great difficulty, and is at odds with the rationale on which the rule of issue preclusion is based. The line between ultimate and evidentiary facts is often impossible to draw ...

The appropriate question, then, is whether the issue was actually recognized by the parties as important and by the trier as necessary to the first judgment. If so, the determination is conclusive between the parties in a subsequent action, unless there is a basis for an exception under § 8.1 ... 1/

Subsequent cases note Evergreens and Yates but rule on bases different from the distinction between ultimate facts and mediate data. Hyman v. Regenstein, 258 F.2d 502, 510-511 (5th Cir. 1958):

Judge Hand in Evergreens v. Newman, limits the doctrine to "ultimate facts" as opposed to "mediate data." Ultimate facts are "those facts, upon whose combined occurrence the law raises the duty, or the right, in question." We would state the limitation, and apply it to this case: collateral estoppel by judgment is applicable only when it is evident from the pleadings and record that determination of the facts in question was necessary to the final judgment and it was foreseeable that the facts would be of importance in possible future litigation ...

See also United States v. Kramer, 289 F.2d 909, 917 (2d Cir. 1961), which quotes the formulation in Hyman and acknowledges problems with the Evergreens formulation; Farmington Dowel Products Company v. Forster Manufacturing Co., 421 F.2d 61, 78, 79 (1st Cir. 1970) which would give collateral effect to those facts essential to disposition of the previous case.

3. Availability of wholesale service. Finally, FPL would have the Board focus on the "present availability of wholesale services" to inside and adjacent Cities. That availability would hardly seem to avail FPL, since an essential element of the continued availability is its maintenance of the

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1/ We attach a copy of the pertinent comment j (revising former comment p) to Restatement, Judgments, §68, Tentative Draft No. 4, and the related Reporter's Note including cases recited by the Reporter (App. B).

territorial boundary set by the Gainesville conspiracy. The Board has indeed focused on FPL's present wholesale policy; as the Board's order found, the territorial discrimination that characterizes the present availability of FPL service requires relief.

C. Contrary To FPL's Objection, The Evidence Of Joint Activity Provides A Basis For Finding A Situation Inconsistent.

FPL objects to the Board's analysis of FPL's participation in joint activities with other utilities. FPL alleges that (a) the analysis is contrary to the conclusion of Judge King; (b) the analysis is contrary to the testimony of FPL employees; and (c) in any case, the finding does not constitute evidence of a "situation inconsistent."

1. Judge King's order. The Board's basis for disagreement with Judge King's finding is expressly spelled out in the Board's order. Cities respectfully note that this Commission is an expert agency with specialized jurisdiction over the utility industry. In particular, the Board's analysis of coordination among Florida utilities is made in the context of not only the special expertise of Board members, but the expert consideration that the Commission and its Boards' have given the question of coordination in prior antitrust review proceedings, cf. Midland at 949-952, 1051-1078.

2. Assertions of FPL employees. FPL next claims that the Board's conclusions cannot "be squared with the sworn statements of FPL officials that planning studies with other utilities played no part in FPL's decisions concerning new generating capacity." (Objections at 19).

First, document and deposition testimony show that the FPL officials referred to are simply not competent to provide the testimony on which FPL would rest its objections. Second, FPL does not or cannot deny that coordination activities, including reserve sharing and interconnection, permitted FPL to build less generation than otherwise required and, by the same token, directly affected FPL's generation planning. Third, FPL's contentions are

simply contrary to FPL's documentary and testimonial admissions, as found by the Board's order and illustrated further here.

a. Competence. While FPL refers to the statements of "officials," the sole "official" it relies on is Ernest Bivans, currently an FPL Vice President. (It also provides passing reference to Messrs. Gardner and Fite, but these individuals admitted having no involvement with the Florida Operating Committee in the relevant period, i.e., 1960-1970. 1/

Mr. Bivans' affidavits make numerous broad assertions about FPL's planning in the 1960's, including, in particular, the relationship of FPL's planning to the activities of the Florida Operating Committee. A reader of the affidavit might conclude that Mr. Bivans had intimate familiarity with the planning of FPL's nuclear units and the activities of the Florida Operating Committee. In fact, documents and Mr. Bivans' deposition show otherwise.

- o Mr. Bivans was not personally involved in the formation of the Florida Operating Committee (Deposition of Ernest Bivans at Tr. 52, App. A, Doc. 9).
- o In the period from the formation of the FOC in 1959 through 1972 Mr. Bivans attended less than a third of meetings of the FOC and was not routinely copied on FOC related communications (see App. A, Docs. 10, 11). 2/

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1/ Mr. Gardner has testified that he has never been personally involved in the activities of the Florida Operating Committee (FERC Docket No. ER78-19 (Phase II) at Tr. 471 and 313, attached at App. A, Doc. 6). However, he wrote to Orlando in 1976 that:

It is my belief that we have a power pool in Florida as a result of the network of bilateral interchange agreements, the adoption of the Florida Operating Committee Handbook, the joint agreement forming the FCG, and at least 15 years of actual operation and coordination of generation and transmission planning (emphasis added).

See App. A, Doc. 7. See also Deposition of Robert Fite, App. A, Doc. 8 at Tr. 17 (stating he did not work with the FOC).

2/ According to paragraph 10 of Mr. Bivans' supplemental affidavit, he was FPL's representative on the planning committee which issued the 1960 "coordinated plan" relied on by the Board. The affidavit is misleading. As shown at App. A, Doc. 12, Mr. Bivans was replaced on the committee by Mr. Buchanan, who signed the report for FPL.



- o Mr. Bivans did not recall attending meetings at which key coordinating plans were discussed and there were clearly many planning subcommittee meetings he did not attend (App. A, Docs. 13, 14).
- o In preparing his initial affidavit, Mr. Bivans had not undertaken to review the FOC studies at issue, nor had he discussed them with Messrs. Buchanan, Street or Page, key FPL representatives on the FOC and its study committee (App. A, Doc. 15).
- o During the 1960's, decisions on FPL generation planning were made by Board Chairman MacGregor Smith (App. A, Doc. 16 at Tr. 6). Mr. Bivans may have been among those consulted, but was evidently privy neither to the entirety of the decisionmaking process, nor the basis for final decisions (App. A, Doc. 16 at Tr. 177-181, 363).
- o Mr. Bivans was unaware of documents showing the Florida Operating Committee's exclusion of smaller systems and unaware of proposals for expansion of the membership to include these systems and admitted he could have been absent during discussion of these matters (App. A, Doc. 17). <sup>1/</sup> (Item 8 at 25 of FPL's Objections is a non sequitur, since FPL's "knowledgeable officials" are not knowledgeable.)

b. Coordination benefits. Mr. Bivans does not and cannot deny that (1) the reserve sharing and interconnections permitted FPL to build less generation than if it operated alone and (2) FPL's timing of its nuclear units in fact required FPL to rely on generation of others.

FPL's recognition of the relation of interconnections to generation was most recently stated in a 1981 rate filing. As FPL put it:

Interconnections are also considered in determining generation reliability since they have the same effect as increasing the amount of generation available to a company ... Because of these [FPL's] interconnections, FPL Co. has been able to maintain lower generating reserves while at the same time maintaining an equivalent level of reliability for its customers (App. A, Doc. 18, see also Doc. 20).

<sup>1/</sup> A genuine issue of fact is not established by submission of an affidavit made by one who lacks personal knowledge of the facts which the affidavit would assert as true. See, Moore's Fed. Prac. §56.22[1] at 1306. As we show supra, Mr. Bivans lacks the requisite knowledge to attest to the facts recited in his affidavit. Accordingly, that affidavit should be ignored for purposes of this motion, United States v. Bosurgi, 530 F.2d 1105 (2d Cir. 1976), reversing grant of summary judgment for defendant because affiant did not have personal knowledge of the events attested to; United States v. Johns-Manville Corp., 250 F.Supp. 440, 456 (E.D. Pa. 1966), striking portion of affidavit relating to matters discussed at meetings which affiant did not attend.

FPL expressly did build interconnection/transmission facilities in order to purchase power from others in lieu of building additional generation (App. A, Docs. 21, 36). As shown at App. A, Doc. 19, in 1956 Mr. Bivans himself prepared a budget justification for the construction of transmission facilities required to purchase power which FPL needed to meet peak load. See also App. A, Docs. 20, 21, 36.

FPL may claim it did not expressly plan to rely on others in its nuclear planning and development, 1/ but as the Board explains, it planned with knowledge of benefits it could obtain from others and it did in fact rely on them: 2/

a. As shown by FPL's Form 12 filings with the Federal Power Commission (App. A, Doc. 22), in 1968-73 (when FPL's operating nuclear units were under construction) FPL was a net purchaser of power at the time of FPL's system peak. Thus, FPL relied on others to meet peak during the relatively long period required for construction of nuclear units. Moreover, as shown by App. A, Doc. 23, FPL planned to rely on purchased power from others during this period and, as the Form 12s show, did so.

b. As shown in App. A, Doc. 25, which discusses projected state power availability for 1970, FOC members circulated critical planning information among themselves on a confidential basis, including information on reserve projections. Thus FPL, in planning for 1970 power purchases as

---

1/ FPL now submits, as an appendix to its Objections, an admittedly incomplete assortment of planning documents to support the proposition that it did not consider the plans of others in building nuclear. In fact, as shown above, the construction of FPL's operating nuclear units did rely on the purchase of power from others. (Key documents showing FPL's planned reliance on power purchase (App. A, Docs. 23, 24, 27-32) are not included by FPL in the appendix.) In any case, the documents submitted by FPL should not be expected to spell out the coordination assumptions involved in FPL's nuclear plans, for they are not only incomplete, but in addition, during that period FPL's final planning assumptions evidently were clearly known only to Board Chairman Smith, and not necessarily documented (App. A, Doc. 16 at Tr. 6).

2/ FPL's objection in item "8" at 25 to the use of 1974 documents ignores contemporary (1960's) admissions, as noted above.

referred to above, was advantaged by information on purchase power availability that non-members (including Cities) lacked. For other documents showing FPL's reliance on other utilities in this period, see App. A, Docs. 27-32.

c. Admissions. To the extent that FPL would rely on Mr. Bivans, notwithstanding the foregoing, his testimony is besides the point and belied by further testimony and/or documents; including statements by all three officials FPL would rely on.

According to FPL (at 20), "Mr. Bivans categorically stated that individual generation plans were neither modified nor even discussed in the course of the joint studies." Mr. Bivans' own deposition testimony flatly contradicts the affidavit. Mr. Bivans testified that the system planning subcommittee of the Florida Operating Committee "ran studies to coordinate each utility's plans to see how they worked together." If the study group "found any weaknesses at that point" the members would "weed it out." (App. A, Doc. 33 at Tr. 51).

FPL Vice President Gardner also expressly testified that FPL modified its plans in light of the plans of other FOC members.

A. Each company planned its transmission independently. It is my understanding it coordinated transmission with each other through the Florida Operating Committee.

Q. When you say, "coordinated," was it in any way modified to meet the plans of the neighbors?

A. I am sure they must have been, if they had interconnections that developed.

I think the need for modifications was identified by the Florida Operating Committee. I think once the need was identified, then the parties themselves proceeded with changes in their plans or to work out other arrangements.

App. A, Doc. 6 at Tr. 472, 473. See also Florida Cities Supplemental Memorandum, dated September 14, 1981 at Doc. 11.

As quoted at 30-31 of Cities' Motion to Establish Procedures, FPL President Fite told stockholders that FOC "objectives are to plan and operate our individual systems and facilities as though they were one integrated sta-

tewide, 240 Kv transmission grid." FPL also ignores deposition testimony of George Kinsman, FPL engineering Vice President during the 1950's and 1960's that the members of the Florida Operating committee operated their system "as one system." (App. A, Doc. 34, Kinsman deposition, Tr. 293-294).

Under such circumstances, the Bivans affidavit cannot reasonably be found to raise a genuine issue of fact. In Perma Research and Development Co. v. Singer, 410 F.2d 572 (2d Cir. 1969) the Court granted summary judgment in the face of an affidavit apparently raising an issue of fact, noting

If a party who has been examined at length on deposition could raise an issue of fact simply by submitting an affidavit contradicting his own prior testimony, this would greatly diminish the utility of summary judgment as a procedure for screening out sham issues of fact.

Id. at 578. 1/ and see also United States v. Johns-Manville Corp., supra at 456, according greater weight to deposition testimony than affidavits in considering a summary judgment motion.

D. Contrary To FPL's Objection, The Board's Findings On Monopoly Power Are Fully Justified.

FPL contends that the Board's findings on FPL's monopoly power are in conflict with Judge King's findings. 2/

1/ FPL's assertion is all the more incredible in light of formal documents submitted to the FPC and never amended by FPL which admit to joint planning, see Order at 39, 40. There is no more reason to grant credence to Mr. Bivans' assertions here than there would be in a comparable situation, i.e., when a court grants a directed verdict. Cf. Gainesville v. Florida Power & Light Co., 573 F.2d 292, 301, fn. 14 (5th Cir. 1978): "The officials of the power companies deny the existence of a territorial agreement but '[w]here such testimony is in conflict with contemporaneous documents we can give it little weight, particularly where the crucial issues involve mixed questions of law and fact." See also 6 Moore's Fed. Prac., §56.15[4] at 522.

2/ In the course of its objections to the Board's findings on monopoly power, FPL states that "it is undisputed that municipal utility systems ... have access to bulk power sources outside Florida." Objections of FPL at 28. This is simply not so. The Supreme Court found that ties between peninsular Florida and other states were such that the state operated virtually in isolation; FPL v. FPC, 404 U.S. 453 (1972). FPL's own documents suggest the market can not encompass areas beyond peninsular Florida and Cities have consistently contended that the geographic market does not extend beyond peninsular Florida, see Cities' Motion To Establish Procedures at 30-43; 50-53; 59-74; 91-93 and documents cited there.

As detailed in Cities' objections, the question of market (and monopoly power) was simply not before Judge King when he ruled on FPL's summary judgment motion. The Board's finding of FPL's monopoly power in its retail area relies on the market analysis in Opinion 57. That analysis fully comports with extensively reasoned precedent before the NRC and is soundly based in fact. 1/

E. Contrary To FPL's Objection, The Board Findings As To Nexus Are Fully Justified.

FPL argues (at 31) that the Board fails to identify the requisite "nexus" between the situation inconsistent and FPL's activities under the license. FPL contends that "all of the practices that the Board found objectionable ... were discontinued years ago" so that "they are of limited relevance in determining the antitrust consequences of future activities under the license." Moreover, says FPL, none of the practices "relates directly" to construction or operation of FPL's nuclear units.

FPL has simply re-cast old arguments rejected on previous occasions by the NRC. Nexus is not disproved by discontinuation of a practice or by its indirect relation to construction or operation of the plants. Moreover, stating that violations do not relate to "future activities" simply misconstrues the scope of the Board's duties under the Act. So the Appeal Board has found, stating in Kansas Gas and Electric Company et al. (Wolf Creek Generating Station, Unit No. 1), ALAB-279, 1 NRC 559 (1975):

The applicant in the case at bar would have us construe 'activities under the license' in section 105c as foreclosing inquiry into whether it has engaged in anti-competitive conduct which is not traceable immediately and directly to operations of the licensed nuclear faci-

1/ Judge King's findings need not preclude the existence of other relevant markets for antitrust analysis, and should not be read to do so in the face of Opinion 57, and precedent before the Board which find that "wholesale bulk power," "coordination" and "retail firm power" are relevant markets, see e.g., Midland at 949, and at 973, noting that "coordination" power is a separate "factor of production" and hence forms a distinct product market, citing Union Carbide & Carbon Corp. v. Niseley, 300 F.2d 561, 585 (10th Cir. 1961).

lity itself. It maintains this position even though such conduct might enhance its ability to use nuclear-generated power to the disadvantage of competitors ... [t]he section cannot be fairly read to bear the meaning applicant ascribes to it...

The words of the statute upon which the applicant relies direct the Commission to consider not only whether granting a license would 'create' an anticompetitive situation but also whether it would 'maintain' one. Thus, to the extent the applicant's argument suggests that the Commission's cognizance under section 105c is limited to anticompetitive consequences directly attributable to applicant's use of the nuclear plant and its output, it makes no sense.

Id. at 568.

... [T]he Commission's statutory obligation is to weigh the anticompetitive situation -- which to us means that operations in an 'air tight chamber' were not intended. A review conducted under the artificial restraints suggested by the applicant would allow long understood and well recognized patterns of anticompetitive conduct to evade Commission notice....

Id. at 572 (emphasis in the original). These findings have been reiterated in the Appeals Board decisions involving the Midland, 1/ Davis-Besse 2/, and Farley 3/ plants. In the Davis-Besse opinion, the Appeals board directly confronted a claim that old territorial conspiracies were irrelevant because no longer in existence. The Appeals Board, adopting the findings of the Board below stated:

[W]e cannot accept Applicant's arguments that, once the territorial allocation agreements end, their effects are negated. Applicants recognize the phenomenon in the electric industry of 'one time competition;' that once acquired, utilities 'serve forever a new customer.' It requires no analysis, it is axiomatic, that, with this factor in the industry, territorial and customer allocation agreements cause rigidity in the market. The longer they are in force, the less they are needed.

Id. at 10 NRC at 309-310.

1/ Consumers Power Co., supra, 6 NRC at 917, 1098.

2/ Toledo Edison Co., supra, 10 NRC at 290-294, 354, 395.

3/ Alabama Power Co., supra, 13 NRC at 1042-1044, 1097-1102, 1106.

In Farley, the Commission found that the cessation of anticompetitive activity provided no basis for dispensing with otherwise appropriate remedial requirements, id., 13 NRC at 1107. Indeed, Farley granted relief from bulk power restrictions, relief that ran in favor of all systems, including systems not granted participation in the applicant's nuclear units, id. at 1109.

FPL's contentions are in sum unsupportable <sup>1/</sup> and can not disguise the fact that here there is nexus between the situation inconsistent and the "activities under the license" as that term has been interpreted in Wolf Creek, Midland, Davis-Besse and Farley.

With regard to the issue of nexus in this case, the Board specifically found that nuclear units are cost-efficient producers of electricity. In addition the Board found that FPL conspired with Florida Power Corporation and that an unconditioned license, as requested by FPL, would permit the Company to continue to effect that division (Order at 47, 48) and continue to deprive Cities of a competitive environment (Order at 48).

In this situation (as the Board recognized) granting the license sought by FPL would patently maintain the division FPL illegally created, by confining access to FPL's generation to "inside" and "adjacent" Cities. This Board has previously found that such territorial restraints establish a direct relationship between the situation inconsistent and operation of the

---

<sup>1/</sup> FPL contends that there can be no nexus because the Board found, at 33-34, that there is no evidence defendant took affirmative action to block outside Cities from participating in nuclear generation, and that its refusal to allow Tallahassee to participate in its nuclear plant has not been shown to be anything but a sound business judgment. FPL is wrong. First, FPL's other restrictive activities would in any event provide a basis for finding nexus as described above; second, the fact that a monopolist has acted on the basis of sound business judgment is not dispositive since (a) even "honestly industrial" practices, engaged in by a monopoly may violate §2, United States v. United Shoe Machinery, 110 F.Supp. 295, 344-345 (D. Mass. 1953), aff'd, 347 U.S. 521 (1954); (b) even otherwise lawful acts, if part of an unlawful scheme may violate the antitrust laws, American Tobacco Co. v. United States, 147 F.2d 93, 107 (6th Cir. 1944) aff'd, 328 U.S. 761 (1946), Davis-Besse, 10 NRC supra at 376, 377, Midland, supra at 912 and (3) the Board's findings are not as FPL seems to imply, final [see Cities' Objections, January 14, 1982].

applicant's nuclear plant Toledo Edison Company et al. (Davis-Besse, Nuclear Power Station, Units 1, 2 and 3) LBP-77-1, 5 NRC 133 at 241, 242. No additional hearing is required.

It is further manifest that allowing FPL to improve its system economies, while continuing to deny Cities a competitive environment, will maintain the situation created by the illegal territorial division. As the Appeals Board found in similar circumstances in Midland, that is enough to establish nexus between the violation and the operation of the plants. 1/

CONCLUSION

WHEREFORE, Cities conclude that objections made by FPL should not be granted.

Respectfully submitted,

Robert A. Jablon  
Alan J. Roth  
Daniel Guttmann  
Joseph Van Eaton

By Robert A. Jablon  
Attorneys for Florida Cities

January 26, 1982

Law offices of:  
Spiegel & McDiarmid  
2600 Virginia Avenue N.W.  
Washington, D.C. 20037

1/ In addition, other findings made by the Board, considered together or separately from the wholesale market division, outline "situations inconsistent" which justify relief. The Board has found FPL had refused to sell or resisted sale of firm power to Cities, and described tactics through which the Company denied small systems access to economies of scale (Order at 47); that FPL sought to acquire systems; and that its wholesale and retail monopoly power could only increase (Order at 22); that FPL had obtained benefits from coordination not enjoyed by Cities (Order at 47, 22). These may be compared to Board findings in Midland, 6 NRC at 1031-1066, 1085-1090, 1079-1085 where the Board granted relief based on a pattern of acquisitions, refusals to coordinate (including refusals to share reserves, and exclusion of systems from the statewide pool) and acts which prevented systems from developing economic generation. The Board found a nexus because small systems had been prevented from developing the most economical resources by Consumers' acts, and because the increase in Consumer's efficiency which would result from installing efficient nuclear units would increase the opportunity for the company to abuse its power. Id. at 1095, 1096. See also, Farley, supra at 1103-1110 (restriction of bulk power sources justifies relief) and Davis-Besse, supra at 395-393.



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In The Matter Of	)	
	)	
Florida Power & Light Company	)	Docket No. 50-389A
	)	
(St. Lucie Plant, Unit No. 2)	)	Florida Cities
	)	1/26/82

INDEX TO APPENDICES

APPENDIX A

Document(s) No.

- 1 Letter, dated 12/4/81, J.T. Danforth, Kissimmee Utilities Director, to R.J. Gardner.
- 2 Deposition testimony of Ernest C. Somers, St. Cloud, taken in Lake Worth Utilities Authority, et al. v. FPL, Case No. 79-5101-CIV-JLK, U.S. Dist. Ct., Southern District of Florida, 11/18/81, Tr. 47-50, 73-74.
- 3 Excerpts from Florida Power & Light Company's Annual Reports for the Years 1959, 1961, 1964 and 1966.
- 4 Interoffice memorandum, dated 10/20/65, R.S. Bostwick to J.M. Christian and others; subject: "Status Report on Isolated Power Plant and Competitive Air Conditioning Installations & Removals."
- 5 Interoffice memorandum, dated 2/9/67, J.M. Christian to L.H. Adams and others; subject: "Summary of Isolated Power Plants."
- 6 Cross-examination of R.J. Gardner, in Florida Power & Light Co., FERC Docket No. ER78-19, Phase II, 11/15/79 and 11/19/79, Tr. 313, 468-473.
- 7 Letter, dated 11/16/76, R.J. Gardner to H. Luff, Orlando Utilities Commission.
- 8 Deposition Testimony of Robert H. Fite, taken in Lake Worth Utilities Authority, et al. v. FPL, Case No. 79-5101-Civ.-JLK, U.S. Dist. Ct., Southern District of Florida, 5/6/81 and 9/18/81, Tr. 17, 623, 628.
- 9 Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, Tr. 52.
- 10 Excerpts from minutes of Florida Operating Committee meetings, Jan. 1959 - Dec. 1972, showing people present at each meeting.

INDEX TO APPENDICES (cont'd)

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Document(s) No.

- 11 Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, 8/27/81, Tr. 72-73, 89, 92, 417.
- 12 Excerpts from minutes and notices of Florida Operating Committee meetings involving 1959-1961 joint studies.
- 13 Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, Tr. 113.
- 14 Excerpts from minutes of meetings of FOC's Study Group for Joint Long-Range Planning, showing people present at the meetings.
- 15 Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, 8/27/81, Tr. 67, 69, 74-75, 348, 377.
- 16 Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, 8/26/81, Tr. 6, 177-181, 363.
- 17 Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, Tr. 85-99, 112-113.
- 18 Page 1 of Exhibit \_\_\_\_\_ (EJT-2), submitted with Florida Power & Light Co.'s July 1981 wholesale rate filing, FERC Docket No. ER81-588-00.
- 19 "Florida Power & Light Company, Construction Budget, Year 1956," prepared 2/6/65, presented at Directors' meeting, 2/13/56.
- 20 "Report on Florida's Requirements for New Interstate Ties," dated 11/1/73, prepared by "ELB."
- 21 Interoffice memorandum, dated 8/2/51, H.V. Street to C.G. Kinsman; subject: "Tampa Interconnection," with an "economic analysis of the value of the Tampa Interconnection" attached.
- 22 Schedule 13, Florida Power & Light Company's Form 12, filed with FPC for the years 1968-1973.
- 23 Memorandum, dated 10/31/68, by E.L. Bivans; subject: "1970 System Generation Requirements."
- 24 Interoffice memorandum, dated May 10, 1972, from E.L. Bivans to H.W. Page, subject: "Generation Requirements for the Summer of 1974."

INDEX OF APPENDICES (cont'd)

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Document(s) No.

- 25 Memorandum, dated 11/7/68, H.W. Page to Florida Operating Committee members, attaching a memorandum dated 10/21/68, titled "Power Supply - Peninsular Florida Estimated Situation - 1970 and 1971."
- 26 [RESERVED]
- 27 Interoffice memorandum, dated 6/19/69, H.W. Page to L. Johnson; subject: "Power Supply Peninsular Florida 1970-1971."
- 28 Interoffice memorandum, dated 6/24/69, H.W. Page to L. Johnson; subject: "Power Supply Peninsular Florida, 1972-1973."
- 29 Letter, dated 7/9/69, F.S. Black, Tampa Electric Co., to R.H. Fite.
- 30 Interoffice memorandum, dated 7/14/69, J. Coughlin to R.H. Fite; subject: "Mr. Fisher Black's Letter re Big Bend No. 2."
- 31 Letter, dated 7/15/69, R.H. Fite to F. Black, Tampa Electric Co.
- 32 Interoffice memorandum, dated 12/2/69, H.W. Page to L. Johnson; subject: "Power Supply Summer 1973."
- 33 Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 5/1/81, Tr. 61.
- 34 Deposition Testimony of George Kinsman, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 5/1/81, Tr. 293-294.
- 35 [RESERVED]
- 36 Deposition Testimony of Ernvest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/26/81, Tr. 241-243.

APPENDIX B

Excerpts from Section 68 of the American Law Institute's Tentative Draft No. 4, April 15, 1977, Restatement of the Law, Second, Judgments.

APPENDIX A

1

Letter, dated 12/4/81, J.T. Danforth, Kissimmee Utilities  
Director, to R.J. Gardner.



P.O. BOX 3408 • KISSIMMEE, FLORIDA 32741 • 407/847-2527

December 4, 1981

RECEIVED

DEC 7 1981

SPIEGEL &amp; McDIARMID

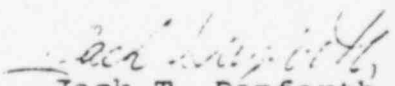
Mr. Robert J. Gardner  
Vice President  
Florida Power & Light Company  
P. O. Box 529100  
Miami, Florida 33152

Dear Bob:

Based upon our inability to obtain economic base load power from you, we have requested wholesale power from Florida Power Corporation. However, we would desire to do business with you and invite a competitive offer to Florida Power's wholesale rate.

I await your early response.

Sincerely yours,

  
Jack T. Danforth  
Utilities Director

JTD:pf

CC: Robert Berlinsky, City Manager  
James Parrish, Reynolds, Smith & Hills  
Robert Jablon, Spiegel & McDiarmid

2

Deposition testimony of Ernest C. Somers, St. Cloud, taken in  
Lake Worth Utilities Authority, et al. v. FPL, Case No.  
79-5101-CIV-JLK, U.S. Dist. Ct., Southern District of Florida,  
11/18/81, Tr. 47-50, 73-74.

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

THE LAKE WORTH UTILITIES AUTHORITY, )  
THE UTILITIES COMMISSION OF NEW SMYRNA )  
BEACH, THE SEBRING UTILITIES COMMISSION, )  
AND THE CITIES OF ALACHUA, BARTOW, FORT )  
MEADE, HOMESTEAD, KISSIMMEE, MOUNT DORA, )  
NEWBERRY, ST. CLOUD, STARKE, AND )  
TALLAHASSEE, FLORIDA, )

Plaintiffs, )

- vs - )

FLORIDA POWER AND LIGHT COMPANY, )

Defendants. )

Civil Action No.  
79-5101

-----  
St. Cloud, Florida

Wednesday, November 13, 1981

1:30 o'clock p.m.

A P P E A R A N C E S:

JOSEPH VAN EATON, ESQUIRE of  
Spiegel & McDiarmid  
2600 Virginia Ave.  
Washington, D. C.

Appearing on behalf of the Plaintiffs.

HERBERT DYM, ESQUIRE and  
K. GREGORY TUCKER, ESQUIRE of  
Covington & Burling  
P. O. Box 7566  
Washington, D. C. 20044

Appearing on behalf of the Defendant.

DEPOSITION OF:

ERNEST C. SOMERS





1           A     I think it must have been Mr. Dantzler at that time.  
2     You know, we've been changing City Managers. I'm sorry if  
3     I'm incorrect on that.

4           Q     No. That's fine. All you can do is tell me what  
5     you presently recall.

6                     Who was present from -- for FP & L?

7           A     Again, I'm sorry on the names. I know that Mr.  
8     Daniel was here. I believe he was here.

9           Q     Was it your impression that he was the chief  
10    representative of Florida Power & Light Company?

11          A     I think he was the chairman of the group at that  
12    time, if that's the proper terminology.

13          Q     Okay. Did the other people work for Mr. Daniel; do  
14    you know?

15          A     I don't know, sir.

16          Q     Okay. Were the other FP & L people employees of  
17    FP & L as opposed to outside consultants or lawyers?

18          A     I'm not sure. I believe they were employees.

19          Q     Okay. Tell me, to the best of your recollection,  
20    what was discussed at this March, 1980, meeting?

21          A     We asked them if they would sell us power.

22          Q     Have you finished your answer?

23          A     Well, that was why I was at the meeting.

24          Q     What I'm asking you is to tell us everything you  
25    can recall about what was said at that meeting.

1           A     I think there was also some talk about the  
2     possibility of a -- no. I'm sorry. That was with -- I'm  
3     sorry.

4                     I don't recollect anything, the words or exactly  
5     what happened at that meeting.

6           Q     How long did the meeting take?

7           A     Maybe an hour.

8           Q     And all that you recall that happened at that  
9     meeting is you asked Florida Power & Light to sell power to  
10    you?

11          A     That's all that I asked.

12          Q     Is that all you can remember that happened at this  
13    meeting?

14          A     No, sir.

15          Q     What else happened at the meeting?

16          A     They said they could not.

17          Q     How much power did you ask Florida Power & Light  
18    to sell you?

19          A     I think it was somewhere around ten megs.

20          Q     For what term?

21          A     We wanted what we would call long-term, over a  
22    year.

23          Q     Did you have a contract that you proposed to  
24    Florida Power & Light?

25          A     No, there was no contract or anything in writing at

1 that time.

2 Q What price did you ask for?

3 A We did not discuss prices.

4 Q What type of power did you ask for?

5 A Wholesale, mixed cost, that's what I would have  
6 asked for, but we did not get into price discussion that I  
7 recall.

8 Q Who was speaking for St. Cloud at that meeting?

9 A Mr. Jim Berry.

10 Q All right. And what specifically did Mr. Berry say  
11 in requesting this power?

12 A Mr. Berry, sir, is a man of many words. I think  
13 what he really wanted was exactly as I've told you now.

14 Q So, all you can remember about this conversation  
15 is what you have now told me?

16 A Yes.

17 Q Nothing more?

18 A I cannot recall anything more at this time.

19 Q All right. What was the response to Mr. Berry's  
20 request?

21 A Well, I consider his request and mine one and the  
22 same. The response would be the same to him as it was to  
23 me.

24 Q And what was the response?

25 A They did not have any power available.

1 Q Who said that?

2 A I don't know.

3 Q Someone from FP & L said that?

4 A Oh, yes. One of the people, I believe, that were  
5 FP & L employees.

6 Q Is that all you can recall that the FP & L  
7 employees said, simply, "We do not have power available," or  
8 did they say anything more than that?

9 A I don't recall them saying anything more than that.  
10 I'm sure there was a lot of things said, but the bottom line  
11 is what I'm trying to explain to you.

12 Q Okay. I'm not interested in the bottom line. I'm  
13 interested in getting your recollection of exactly what was  
14 said at this meeting.

15 A I've told you all I can recall, sir.

16 Q That's all that you can recall?

17 A Yes.

18 Q Okay. Was there any other subject matter at the  
19 meeting?

20 A I don't think so.

21 Q Did you talk about an interchange agreement?

22 A Yes.

23 Q That was discussed at this March, 1980, meeting?

24 A Yes, I believe that it was.

25 Q Tell me the substance of the discussion about the

1 was, verbal or written, and I would attempt, of course --  
2 the lowest -- perhaps the lowest power I could buy would be  
3 limited. Then I would go to the next highest cost. Do you  
4 understand?

5 Q Yes.

6 A So, it's quite possible that I might buy from both  
7 companies at the same time.

8 Q When you had this meeting with Florida Power &  
9 Light Company, did you have in mind a specific amount of  
10 power that you wanted to buy from Florida Power & Light  
11 Company at a specific price for a specific term?

12 A We were hopeful of something like that. We had  
13 amounts in our mind, of course. Perhaps they might have sold  
14 us power in lesser amounts.

15 So, to say did I come in to the meeting, do I want  
16 this much power for that long for this much, no.

17 Q Okay. That's what I was asking. Was this an  
18 exploratory conversation?

19 MR. VAN EATON: I don't understand what you mean  
20 by that.

21 BY MR. DYM:

22 Q Do you know what that means? Did you contemplate  
23 you were making a formal offer to Florida Power & Light  
24 Company at that point?

25 A Yes.

1 Q An offer that Florida Power & Light could accept?

2 A In context --

3 Q Even though you didn't talk about price, you  
4 didn't talk about quantity and you didn't talk about term?

5 A When the man says no, what's the sense in continuing  
6 with the conversation?

7 Q What was the offer that you made to Florida Power &  
8 Light Company? What did you tell them you were prepared to  
9 do at that meeting?

10 A We were prepared to receive power from them if they  
11 would sell it to us.

12 Q How much?

13 A I believe it was ten megs.

14 Q At what price?

15 A The price was not discussed. If a product is not  
16 available to you, why would you discuss price?

17 Q Did you mention price at the meeting?

18 A No, sir, not to my knowledge.

19 Q Did you mention the amount of power at the  
20 meeting?

21 A I thought I said ten megs, sir.

22 Q All right. Did you mention term at the meeting?

23 A Term would be, in my thoughts, the same thing as  
24 cost. So, probably we did not.

25 Q Okay. Did you mention price, term and cost at the

PENSACOLA COUNTY, FLORIDA, N.J. #1002 - FORM FL 18



3 Excerpts from Florida Power & Light Company's Annual Reports  
for the Years 1959, 1961, 1964 and 1966.

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Looking further ahead, two 300,000 units are under contract for addition to the Riviera Plant and scheduled for operation in 1962 and 1963.

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plus other plant facilities, substation additions, new transmission and distribution lines and other improvements make up a 5-year expansion outlook that engineering estimates indicate will total some \$485,000,000.

Calling for construction expenditures averaging \$97,000,000 a year, this will be by far the biggest era of expansion the Company has ever experienced.

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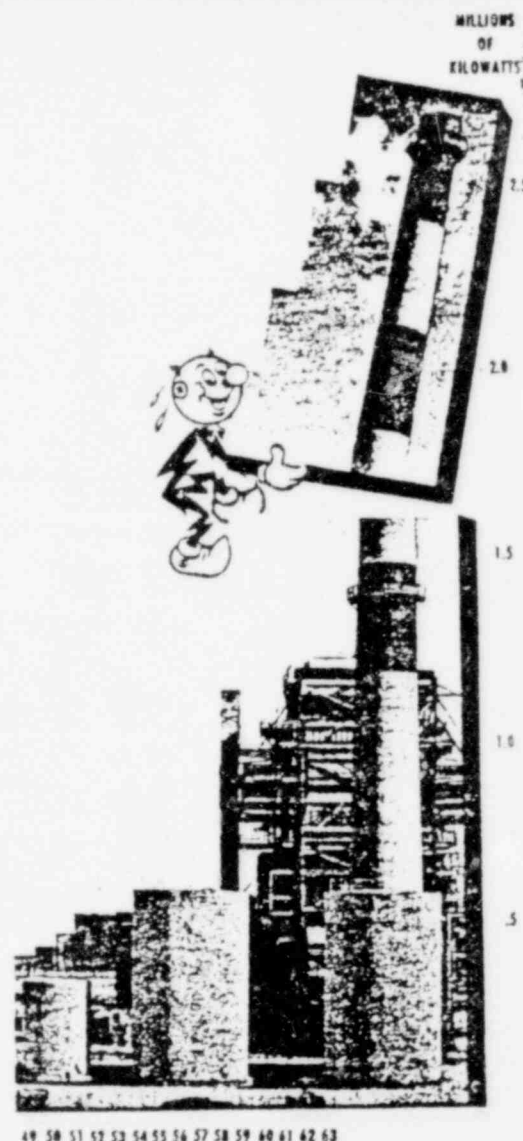
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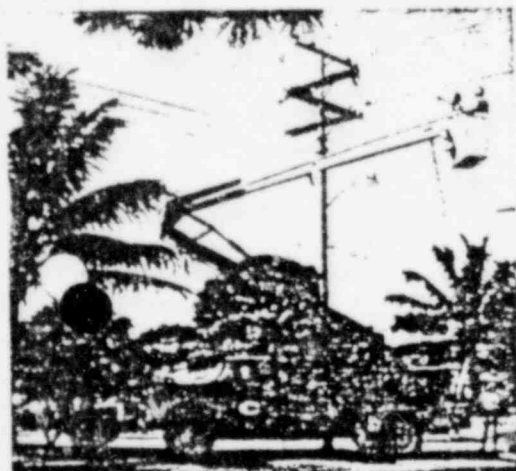


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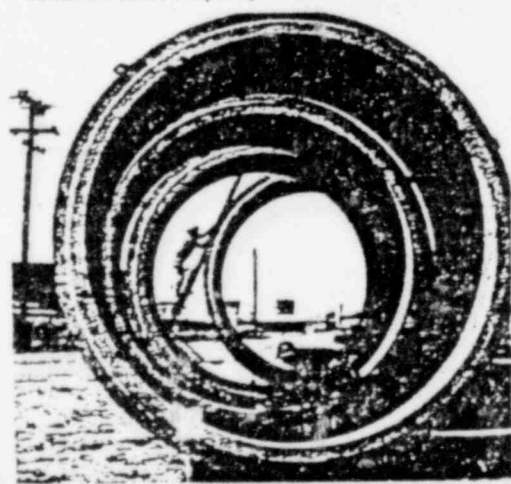
Many jobs get done safer, more efficiently with these modern and versatile "Bucket Trucks."



Husky electric crane handles poles with greatest of ease at Miami's new Northeast Yard.



New Port Everglades' circulating water pipe can handle twice the output of Miami's water system.







# FLORIDA

...HORIZONS UNLIMITED



**1961**  
ANNUAL REPORT

FLORIDA  
POWER & LIGHT  
COMPANY  
MIAMI, FLORIDA

By the end of the year the Company was serving 805,447 customers located in 497 cities, towns, rural communities and adjacent areas.

These customers, on the average, also enjoyed the use of more and more "flameless" electric living. Average annual use per residential customer climbed to 5,008 kilowatt hours, up 292 kilowatt hours over 1960.

### Promotion Pays Off

Aggressive sales promotion through appliance dealers and with the cooperation of other sales allies helped to account for the sale of more than \$115 million of domestic and commercial electric appliances and equipment, plus millions of dollars in additional sales of small appliances, lighting and wiring installations.

Some 435,000 major appliances, radios and TV's were sold.

Featuring the catchy slogan, "There's no match for flameless electric living—it's cheaper, cleaner, safer, too!" FPL's promotion helped achieve results in practically every field.

More than 88% of all new homes and apartment units were equipped with electric ranges vs. 78% in 1960 . . . over 70% had electric water heating vs. 64% the year before . . . 52% included air conditioning vs. only 33% for 1960.

Over 92% of all of the new homes and apartment units were wired for "Full Housepower" compared with 85% in 1960. And 5,175 living units were fully wired and equipped to earn "Medallion Home" certification, an increase of 73% over 1960.

In achieving these results, water heater sales per 1,000 residential customers were more than 6½ times the average in the rest of the nation; range sales were nearly

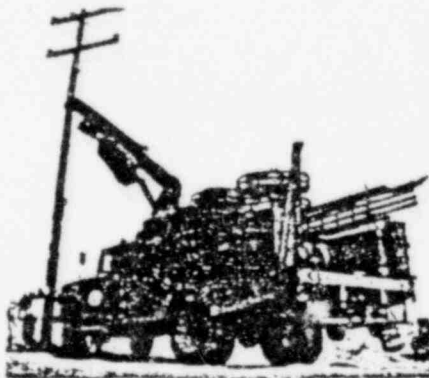
double; room air conditioners were over 2½ times as great.

Sales of commercial electric cooking, air conditioning and other equipment were increased also, up about 20%.

During the year FPL folks conducted more than 3,200 mass demonstrations and exhibits and made some 520,000 personal interviews, reaching in all over 2 million prospects.

### 1961 Advertising Wins

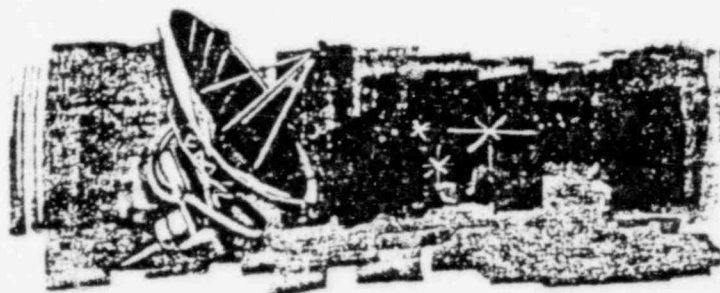
FPL's advertising won top national honors in the Socrates Award competition. Judged along with the advertising of several hundred other utilities in the U.S. and Canada it was credited with "the most noteworthy performance."



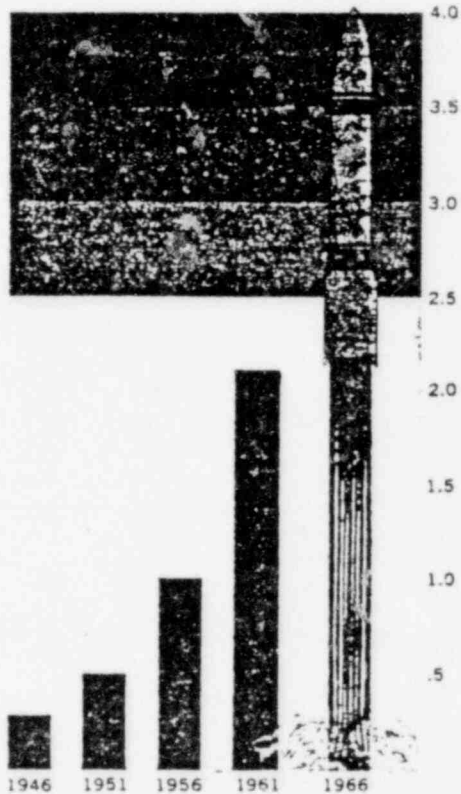
Dubbed "Polecat," this truck with its iron claw speeds pole setting. FPL folks helped design it.



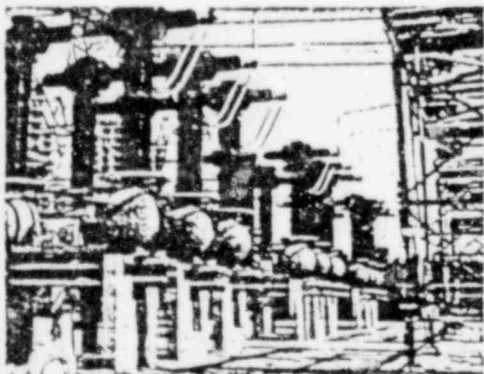
New cross-section line spans the Everglades and here parallels an older, less powerful one.



MILLIONS OF  
KILOWATTS



The 240,000 kw addition at Port Everglades brought system total capability up to 2,128,000 kw in 1961. New units now under construction will push it above 4-million kw by 1966.

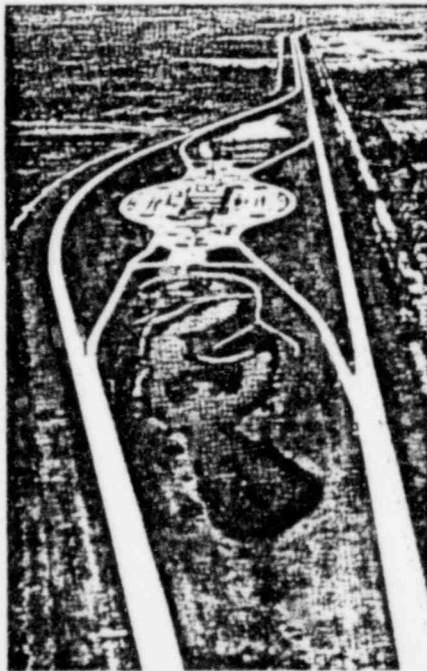
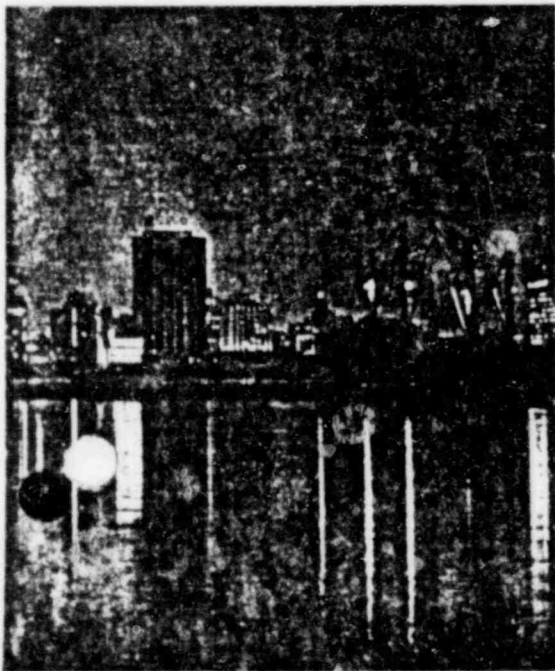
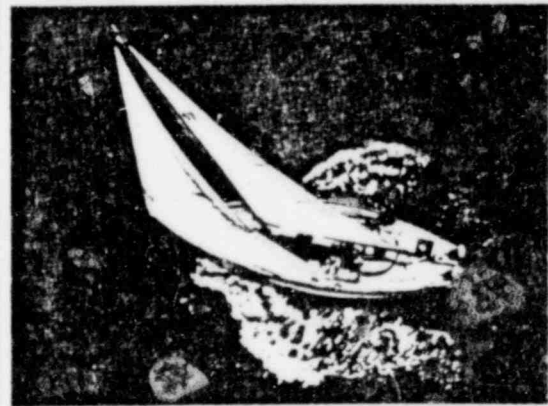
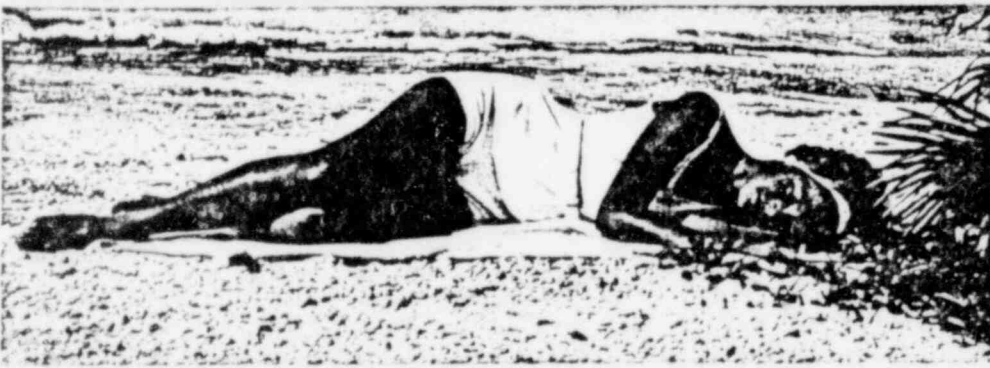
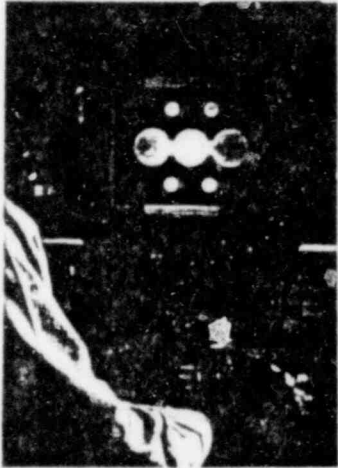


New yard at Lauderdale Plant is a "hub" for power transmission to South Florida area.



New office in Delray Beach is designed for better service to this fast-growing area.

EXPLOR **FLORIDA**





FPL crews help power background, to house

# OUR COMPANY

## EXPANSION GEARED TO FLORIDA'S DYNAMIC GROWTH

Plenty of power for Florida's spiraling growth was dramatically assured as five giant generating units—unprecedented in number and total capability—were pushed ahead during the year in FPL's record \$90.7 million expansion program.

In June, the first of this parade of new units rolled into service at Port Everglades.

**Powerful Progress:** Even as this 425,000 kilowatt unit, the biggest ever to operate in Florida, went into action, activities were under way on four other units—a new 432,000 KW unit at Port Everglades, one at Cape Kennedy, and two 432,000 KW units at Turkey Point, a new site in South Dade County.

The five units represented 2,153,000 kilowatts . . . nearly ten times the system capacity in 1944 . . . and not too far from matching total FPL capability at the beginning of '64.

As the year ended, units at Port Everglades and Cape Kennedy were rapidly nearing completion for startups during 1965. The two units at Turkey Point are slated for service in late 1966 and 1967.

**Atomic Power:** Beyond all this, even bigger projects are planned for Turkey Point, where a plant site is being carved from three square miles of mangrove swamp. Eventually planned for this location are two additional 600,000 kilowatt units. And negotiations are under way for two 1,000,000 kilowatt nuclear units to follow the conventional additions, which would bring the plant's total capacity up to 4,000,000 kilowatts.

Along with the construction of power plants, facilities of all kinds were added, expanded, improved. Distribution substation capacity was increased by 747,556 Kva as nine new substations were completed with six more under construction.

Over 800 miles of new transmission and distribution lines were added.

**Tri-Company Project:** A powerful 240,000 volt cross-state transmission line went into operation to form a new link in the state's interconnected network. It provided a firm tie between the strategic Cape Kennedy area and the Tampa-St. Petersburg area, and was built as a joint project of FPL, Florida Power Corporation and Tampa Electric Company.

At Melbourne, FPL customers were being served from a new office building. Also under construction: new offices in Sarasota, expanded distribution yards in Pompano Beach and Ft. Lauderdale, and a new General Office Building in Miami.

At year's end, the Company was serving 931,433 customers located in over 500 cities, rural communities and adjacent areas. These customers, on the average, enjoyed the benefits of more and more electric living. Sales of electricity rose 12% over the previous year and totaled almost 11 billion kilowatt hours.

**New Financing:** A \$35 million issue of First Mortgage Bonds, 4½% Series due 1994, was sold at competitive bidding on March 25, 1964. And as this report goes to press, we plan a \$40 million issue of First Mortgage Bonds, Series due 1995, to be sold at competitive bidding on March 3, 1965.

Net proceeds from both sales were for the purpose of liquidating construction contracts payable to suppliers and contractors for materials and services in connection with generating station construction and for general corporate purposes.

**Lower Rates:** The Florida Public Utilities Commission took action to reduce the Company's rates \$10¼ million effective

May 1, 1964. This reduction included the effect of 1964 income tax savings resulting from the lower tax rate. Another order to reduce rates \$3¼ million was made effective February 1, 1965, to pass along the additional 1965 income tax savings.

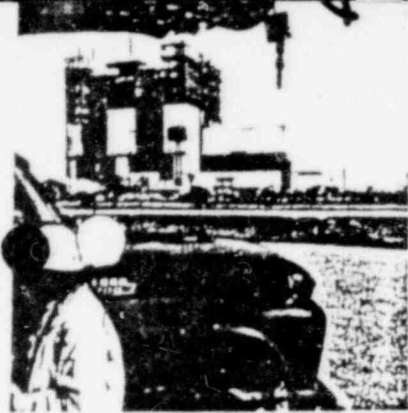
On January 28, 1965, the Florida Public Utilities Commission held hearings in Miami on the Company's electric rates. At that time, among other things, the Company's expert witness testified that, for the test period, the Company showed an earned return of 6.8% on the rate base compared to 6.98% heretofore allowed by the Commission.

The hearings were prompted by a consultant's report to the City of Miami, which the City then filed with the Commission. It claims that FPL and other utilities have been overcharging customers. The hearings will be resumed on April 12 for cross examination and arguments. Of course, it is impossible to make any prediction of the eventual outcome.

With electricity a bigger bargain than ever, our sales organization capitalized on the now famous slogan—"There's No Match for Flameless Electric...It's Cheaper, Too!"

**Record Sales Year:** Forceful promotion and advertising helped dealers and other sales allies sell over 600,000 residential and commercial appliances valued at more than \$158 million. And this does not include many additional millions of dollars worth of lighting, wiring and small appliances. This topped the previous year's record by \$10 million.

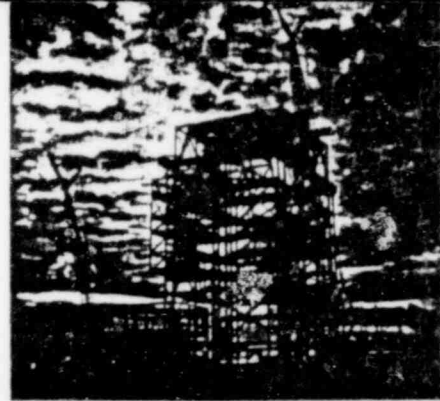
The public's growing preference for all-electric is shown by the fact that about 95% of all newly constructed homes and apartment units were equipped with elec-



...a's moon-shot preparations. Building in chicles, will be world's largest structure.



Atomic power units are being considered for installation at Turkey Point, a new plant site being carved from swampland in South Dade County.



Cape Kennedy Plant, slated for service in '65, assures dependable power for strategic area.

tric ranges, 85% with electric water heaters and 74% with air conditioners—and 8 out of 10 were reverse-cycle models for winter warmth and summer cooling.

Medallion Home Certifications were issued for more than 13,500 living units—bringing the total number of living units adorned by the coveted Medallion—the symbol of electrical excellence—to more than 45,000.

**Tops the Nation:** In achieving these results, range sales, per thousand residential customers, were nearly double the national average; air conditioners were almost three times as and water heater sales were five and a half times greater.

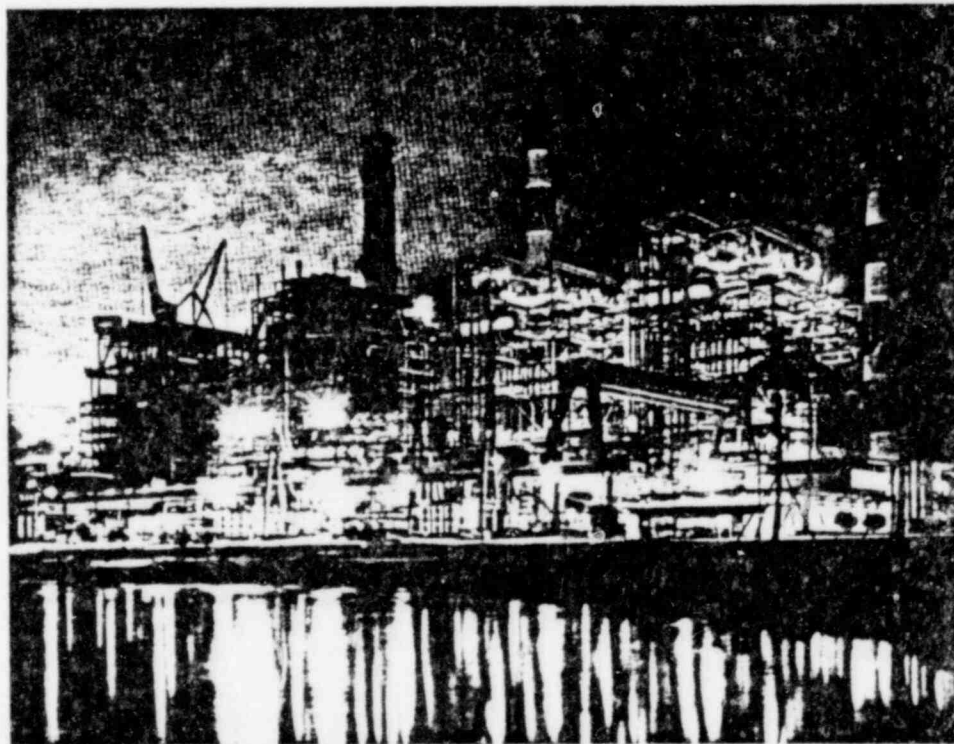
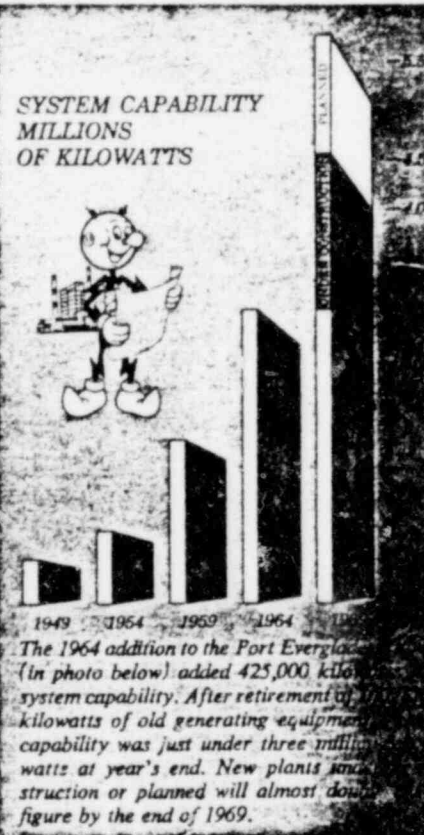
Residential customers increased their average annual use by 475 kilowatt hours, compared to the national increase of 260. For 1964, they used an average of 6,337 kilowatt hours—35% more than the average for the nation.

The "No Match" promotion also made further inroads into the commercial and industrial markets as more and more businesses switched to electrical applications. This is reflected by the gain of 1,964 kilowatt hours during the year per average commercial customer. During the year, FPL sales promotion folks reached about two million Floridians with "No Match" selling messages, through personal contacts, exhibits and mass demonstrations.

**Freedom Award:** FPL became the first three-time winner of the Freedom's Foundation's top national citation when the Company was awarded the encased George Washington Honor Medal for its advertising series, "Helping Keep America powerful." FPL ad campaigns won similar honors in 1955 and 1962 for furthering the cause of freedom.

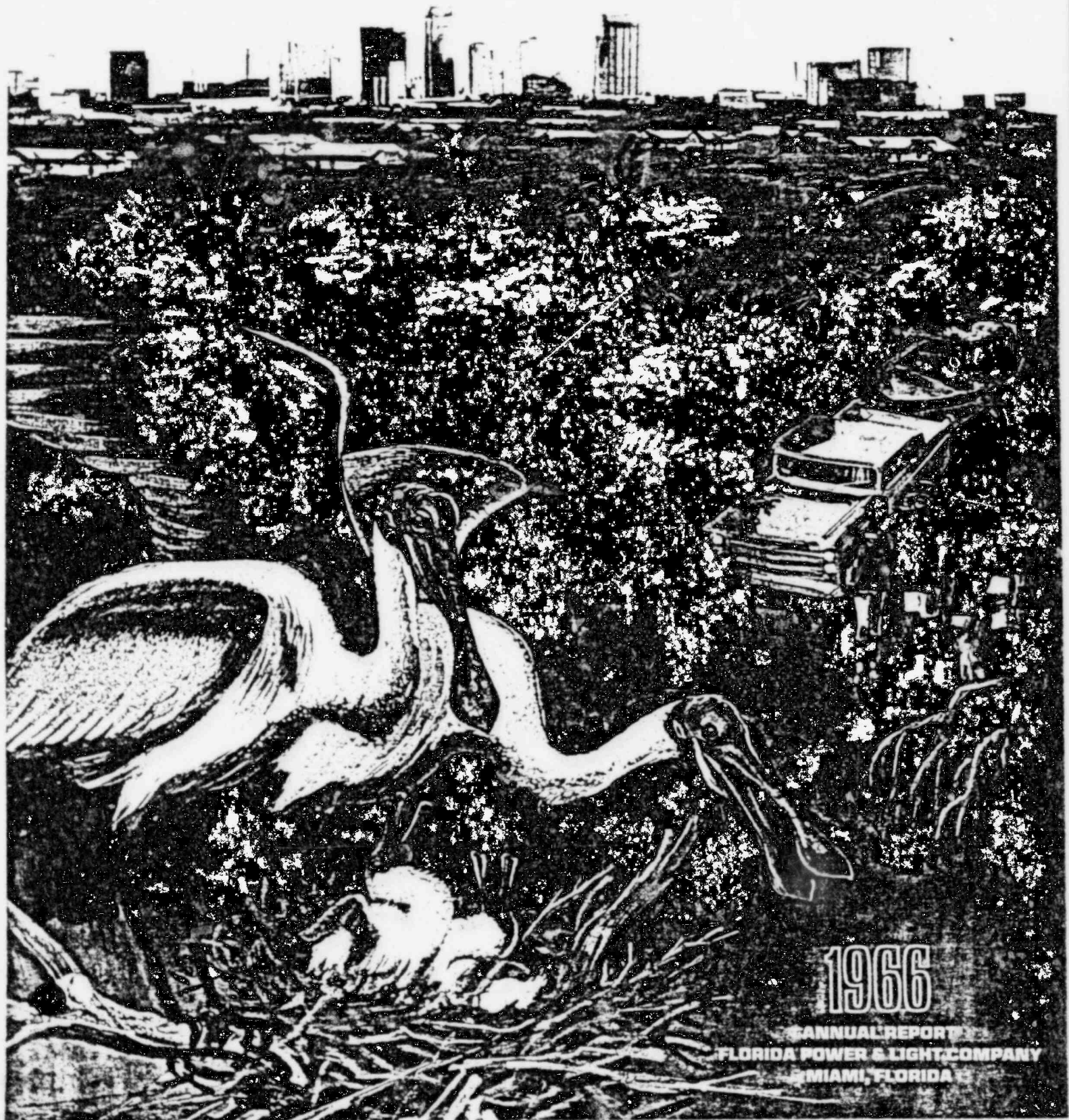


Modern Melbourne office is typical of FPL's continuing expansion and improvement of its customer service facilities.



EXPLORE

# FLO RIDA

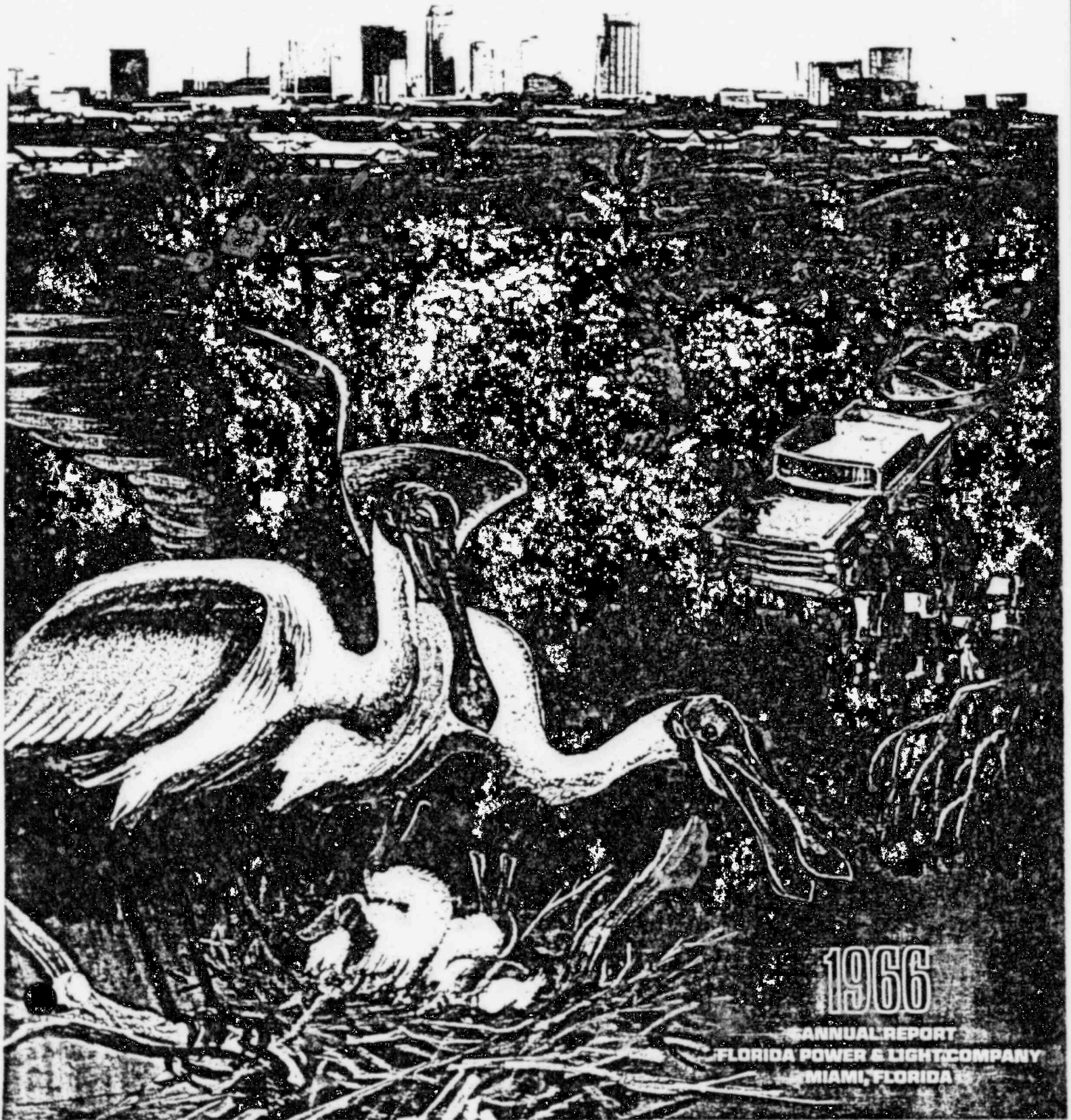


1966

ANNUAL REPORT  
FLORIDA POWER & LIGHT COMPANY  
MIAMI, FLORIDA

EXPLORE

# FLO RIDA



1966

ANNUAL REPORT  
FLORIDA POWER & LIGHT COMPANY  
MIAMI, FLORIDA

franchises obtained since 1945.

During 1966 FPL's total customers topped the million mark . . . and all were enjoying a "shoppers special" in Sunshine Service electricity. Based on the Consumer Price Index, nearly everything else went up 19% since 1956, but the average price paid per kilowatt hour by FPL's residential customers is down 33%.

**Greatest Sales Year:** FPL's vigorous promotion and advertising, including sales messages through personal contacts and mass demonstrations to more than two million Floridians, assisted sales allies in selling more than 800,000 major electric appliances valued at \$194 million — an increase of \$31 million over 1965.

The effectiveness of FPL promotions is reflected in customers' growing preference for Flameless Electric. Based on unit sales per thousand residential customers, sales allies sold twice as many electric ranges as the national average — two and a half times as many air conditioners and more than four times as many water heaters.

**Flameless Appeal:** The Sunshine Service Sales Team, using the slogan, "There's No Match for Flameless Electric," created increased desire for Total Electric living. Of all new homes and apartments built during the year in FPL's service area, 95% were equipped with electric ranges, 88% with electric water heaters and 84% with electric air conditioning (of which 8 out of 10 were year-round models).

More than 20,000 living units qualified for the coveted Medallion—12,000 met the Total-Electric Gold Medallion requirements. More than 81,000 homes and apartments now have been certified.

**High Saturation:** Of FPL's residential customers, 65% now use electric ranges and water heaters and over 50% are enjoying electric air conditioning. These are among the highest saturations in the United States.

Residential customers increased their average annual use to 7,315 Kwh's — a gain of 733. The annual average use per commercial customer reached 42,479 Kwh's—a gain of 2,522. Both residential and commercial customers' average annual use is well above the national average.



Modern vehicle, the Alle-Gator, is used to set poles in narrow easements, helping speed work.



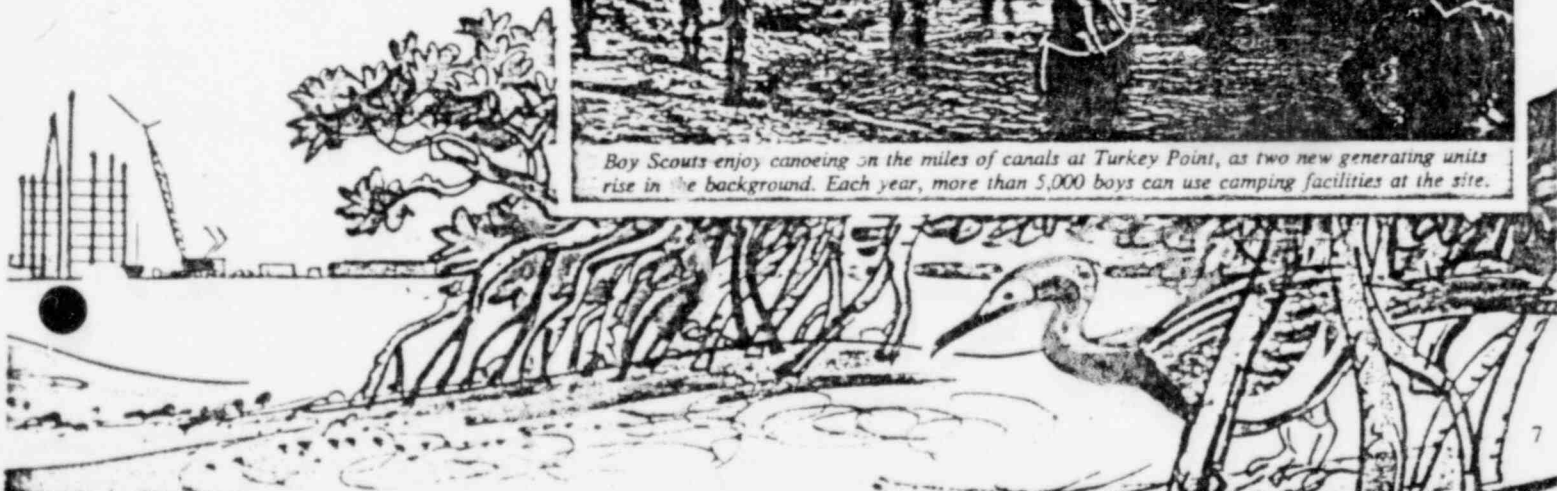
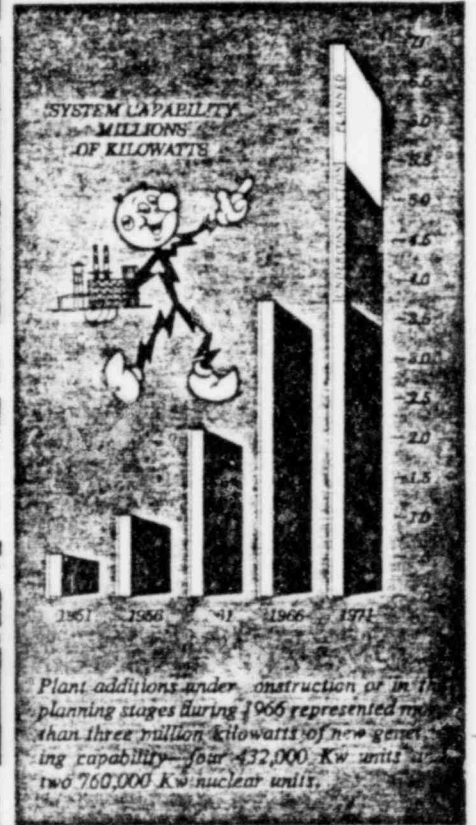
Turkey Point serves as a new year-round training base for Air Force Sea Survival School classes.



Boy Scouts enjoy canoeing on the miles of canals at Turkey Point, as two new generating units rise in the background. Each year, more than 5,000 boys can use camping facilities at the site.



New silicone coating applied to insulators guards against salt deposits, protects service.



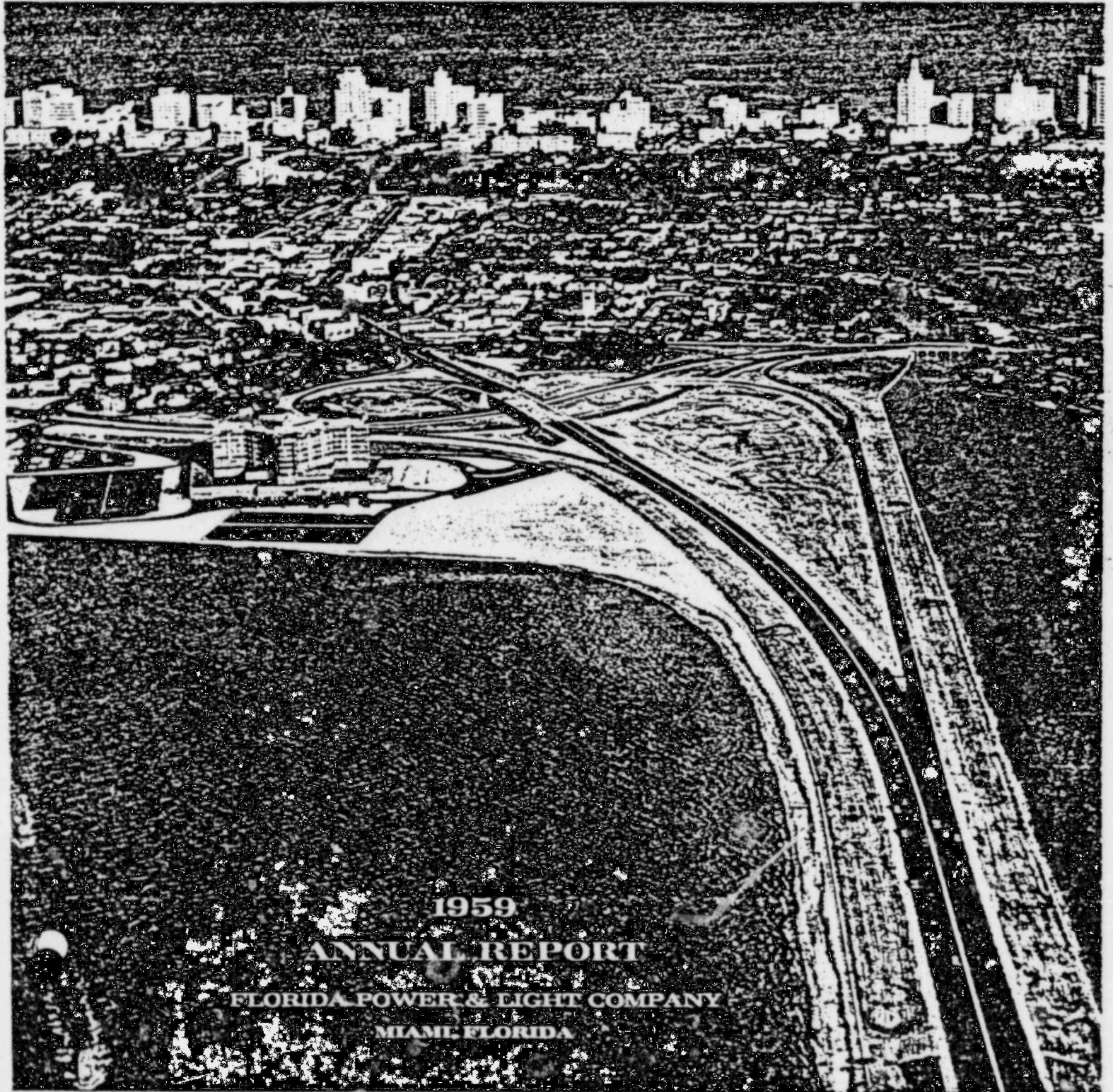


3

Excerpts from Florida Power & Light Company's Annual Reports  
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# FLORIDA

...all roads lead to prosperity



1959

ANNUAL REPORT

FLORIDA POWER & LIGHT COMPANY

MIAMI, FLORIDA

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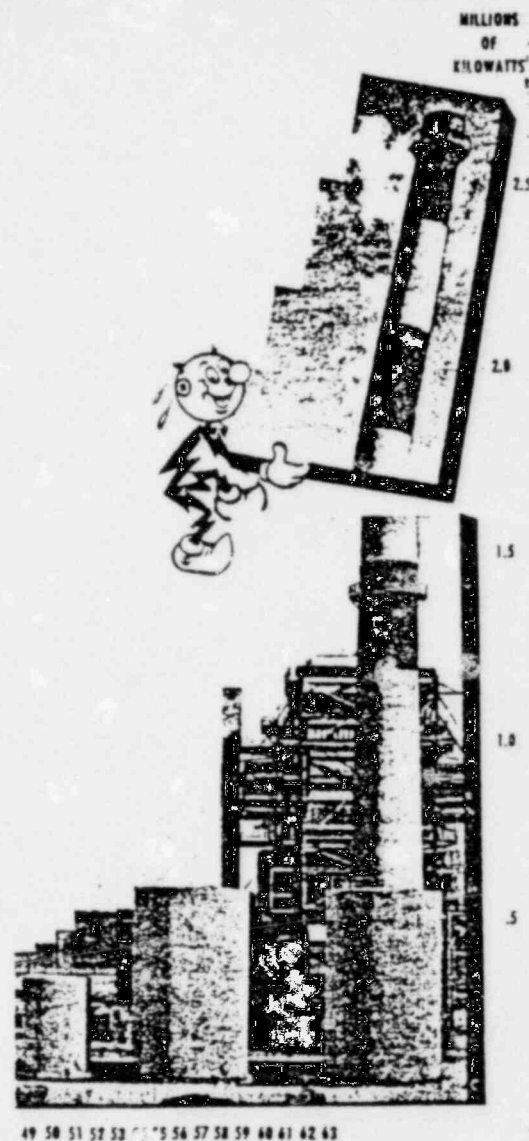
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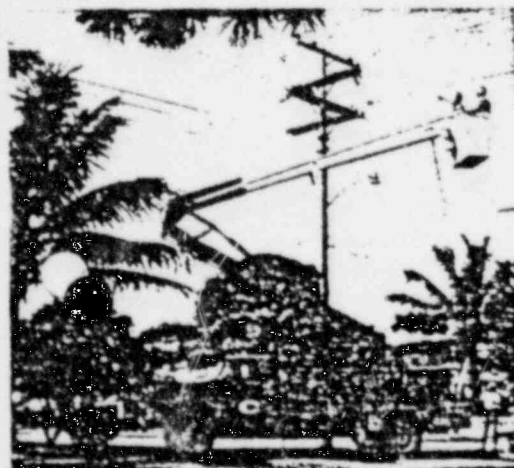


49 50 51 52 53 54 55 56 57 58 59 60 61 62 63

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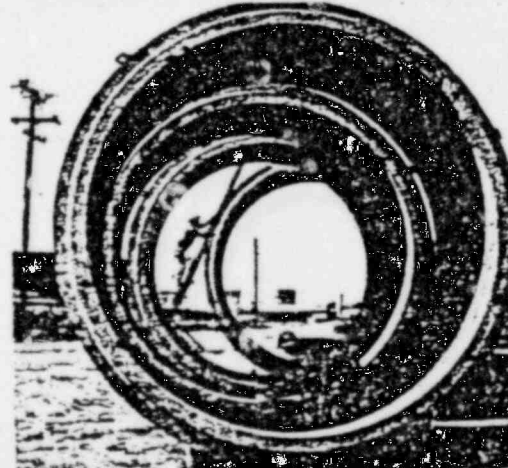
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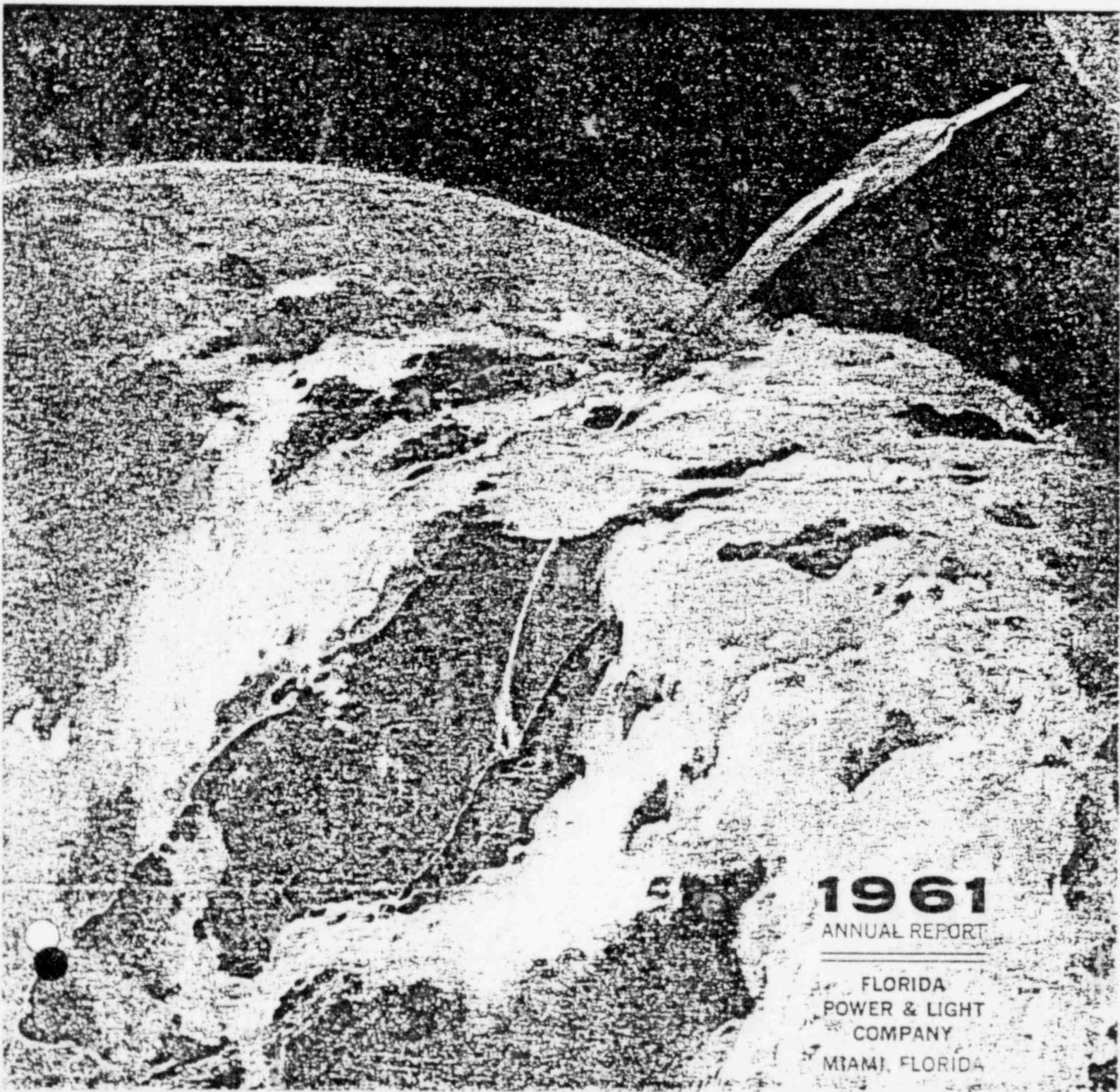
New Port Everglades' circulating water pipe can handle twice the output of Miami's water system.





# FLORIDA

...HORIZONS UNLIMITED



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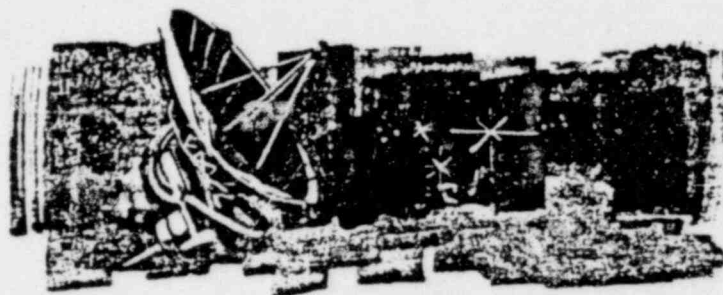
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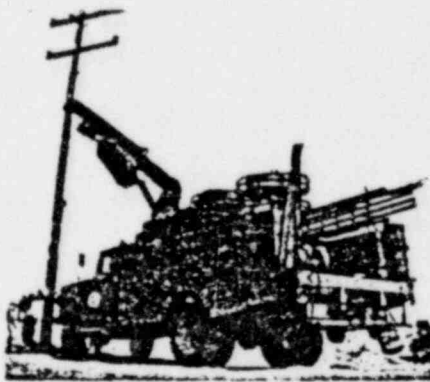
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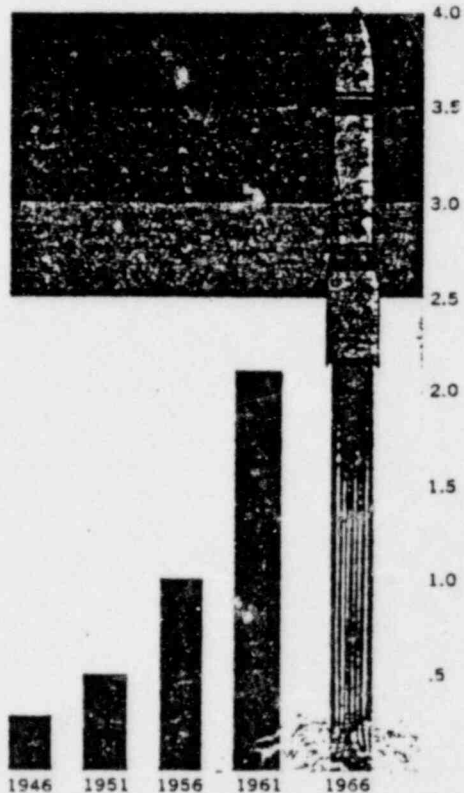


Dubbed "Polecat," this truck with its iron claw speeds pole setting. FPL folks helped design it.

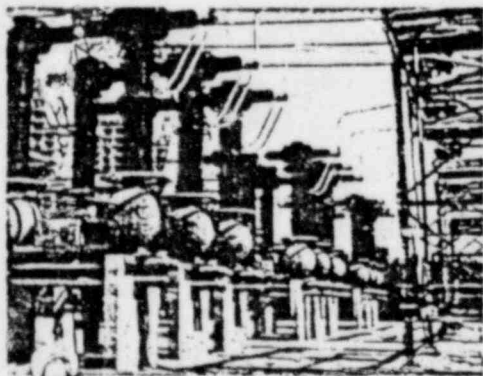


New cross-state line spans the Everglades and here parallels an older, less powerful one.

MILLIONS OF  
KILOWATTS



The 240,000 kw addition at Port Everglades brought system total capability up to 2,128,000 kw in 1966. New units now under construction will push it above 4-million kw by 1966.

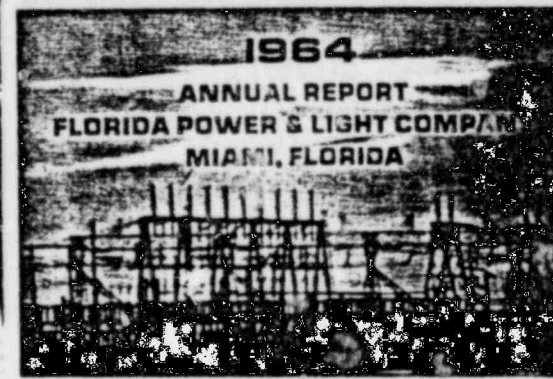
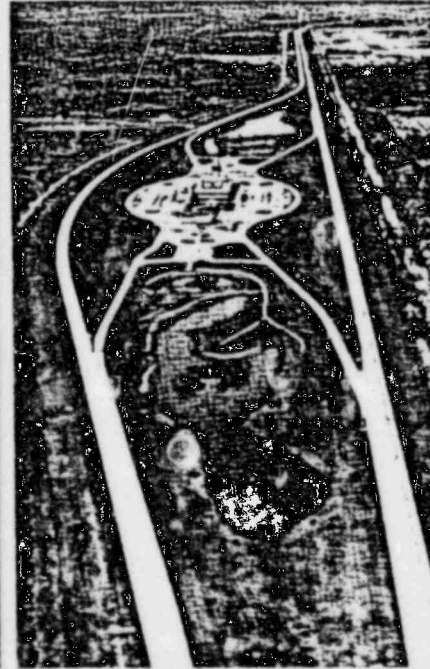


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EXPLORE **FLORIDA**





FPL crews help power background, to house

# OUR COMPANY

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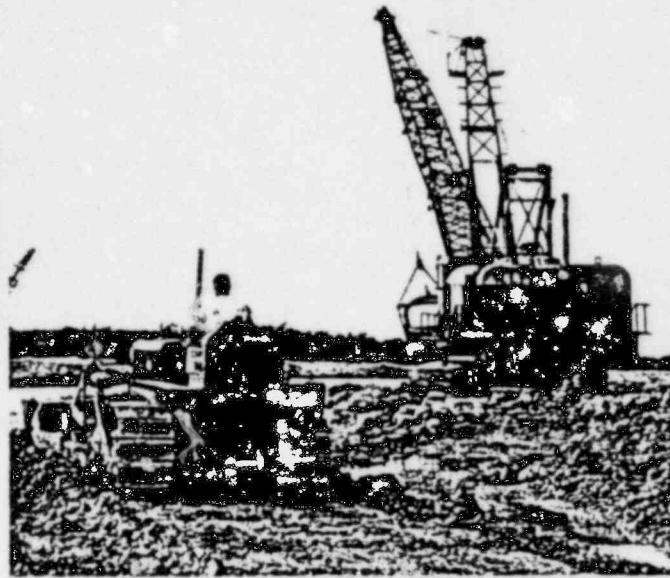
With electricity a bigger bargain than ever, our sales organization capitalized on the now famous slogan—"There's No Match for Flameless Electric...It's Cheaper, Too!"

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The public's growing preference for all-electric is shown by the fact that about 95% of all newly constructed homes and apartment units were equipped with elec-



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Medallion Home Certifications were issued for more than 13,500 living units — bringing the total number of living units adorned by the coveted Medallion — the symbol of electrical excellence — to more than 45,000.

**Tops the Nation:** In achieving these results, range sales, per thousand residential customers, were nearly double the national average; air conditioners were almost three times and water heater sales were five and a half times greater.

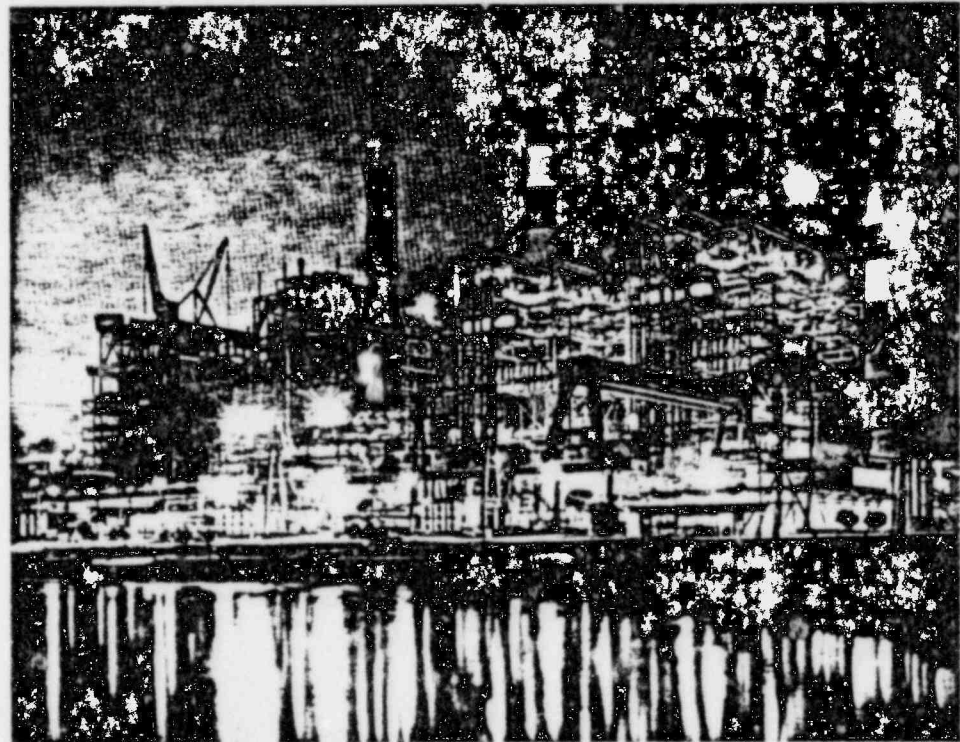
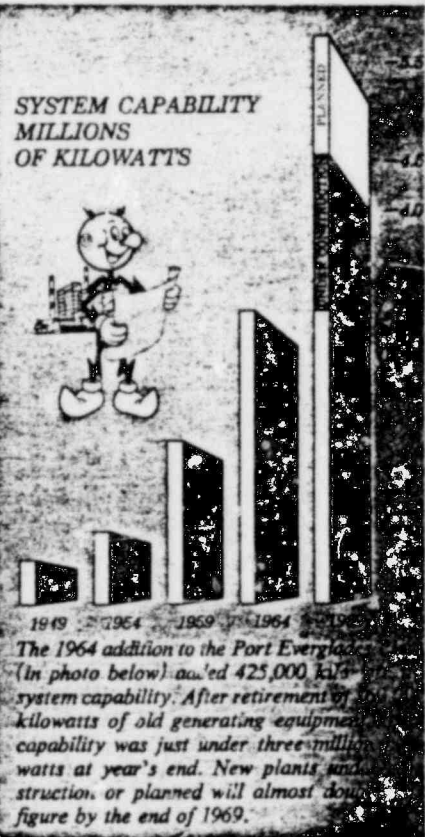
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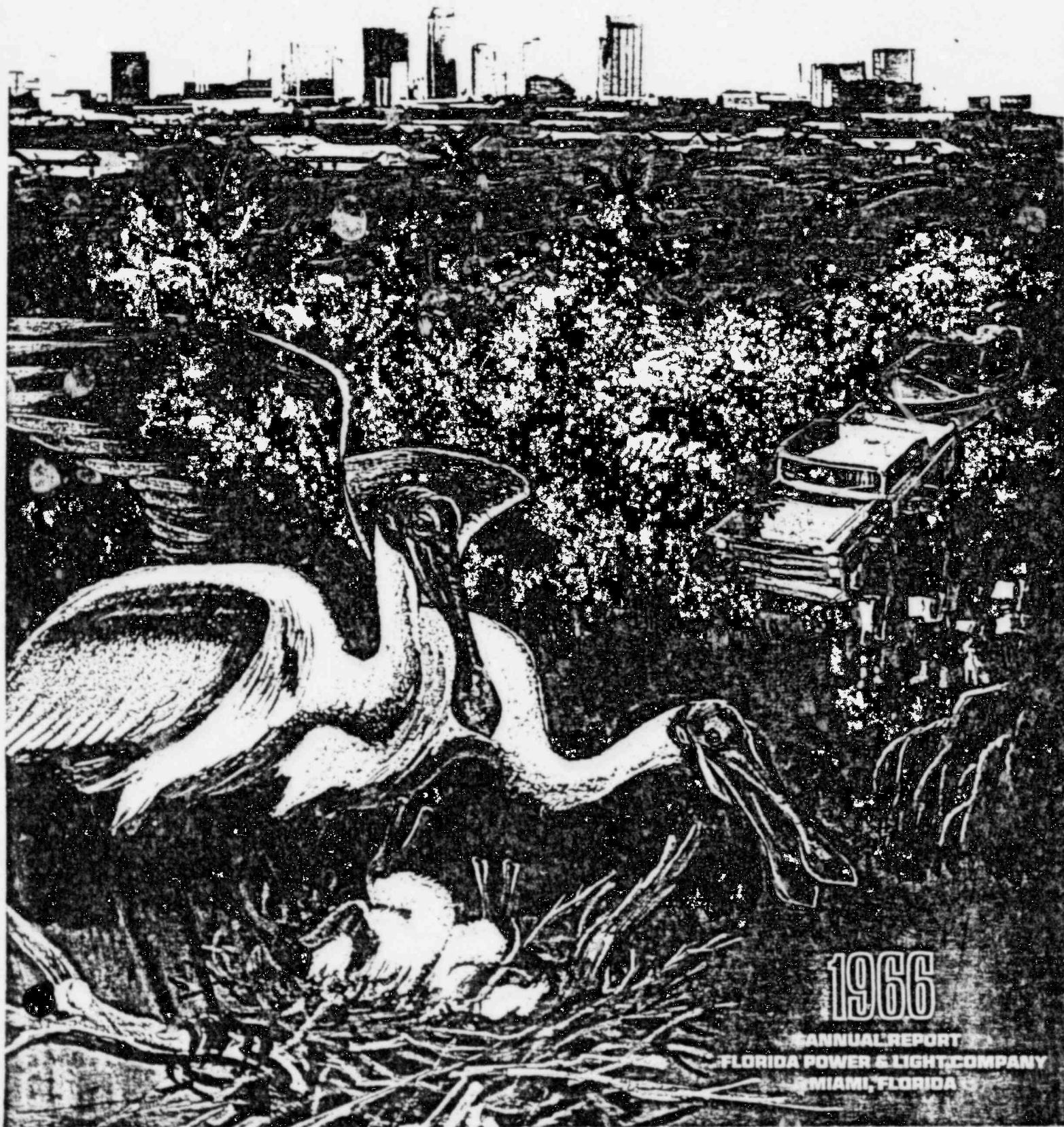
Modern Melbourne office is typical of FPL's continuing expansion and improvement of its customer service facilities.





EXPLORE

# FLO RIDA



1966

ANNUAL REPORT  
FLORIDA POWER & LIGHT COMPANY  
MIAMI, FLORIDA

franchises obtained since 1945.

During 1966 FPL's total customers topped the million mark... and all were enjoying a "shoppers special" in Sunshine Service electricity. Based on the Consumer Price Index, nearly everything else went up 19% since 1956, but the average price paid per kilowatt hour by FPL's residential customers is down 33%.

**Greatest Sales Year:** FPL's vigorous promotion and advertising, including sales messages through personal contacts and mass demonstrations to more than two million Floridians, assisted sales allies in selling more than 800,000 major electric appliances valued at \$194 million — an increase of \$31 million over 1965.

The effectiveness of FPL promotions is reflected in customers' growing preference for Flameless Electric. Based on unit sales per thousand residential customers, sales allies sold twice as many electric ranges as the national average — two and a half times as many air conditioners and more than four times as many water heaters.

**Flameless Appeal:** The Sunshine Service Sales Team, using the slogan, "There's No Match for Flameless Electric," created increased desire for Total Electric living. Of all new homes and apartments built during the year in FPL's service area, 95% were equipped with electric ranges, 88% with electric water heaters and 84% with electric air conditioning (of which 8 out of 10 were year-round models).

More than 20,000 living units qualified for the coveted Medallion—12,000 met the Total-Electric Gold Medallion requirements. More than 81,000 homes and apartments now have been certified.

**High Saturation:** Of FPL's residential customers, 65% now use electric ranges and water heaters and over 50% are enjoying electric air conditioning. These are among the highest saturations in the United States.

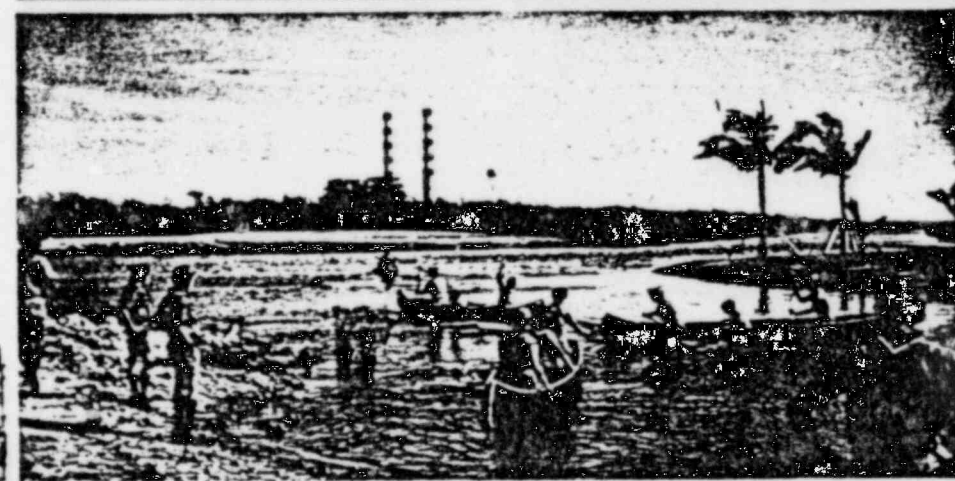
Residential customers increased their average annual use to 7,315 Kwh's — a gain of 733. The annual average use per commercial customer reached 42,479 Kwh's—a gain of 2,522. Both residential and commercial customers' average annual use is well above the national average.



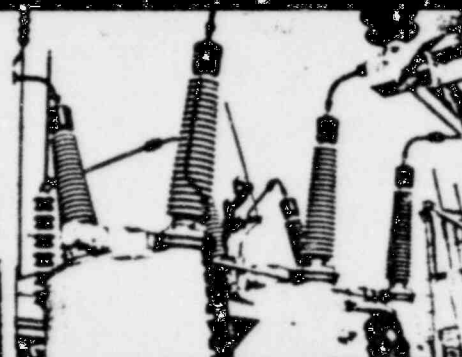
Modern vehicle, the Alley-Gator, is used to set poles in narrow easements, helping speed work.



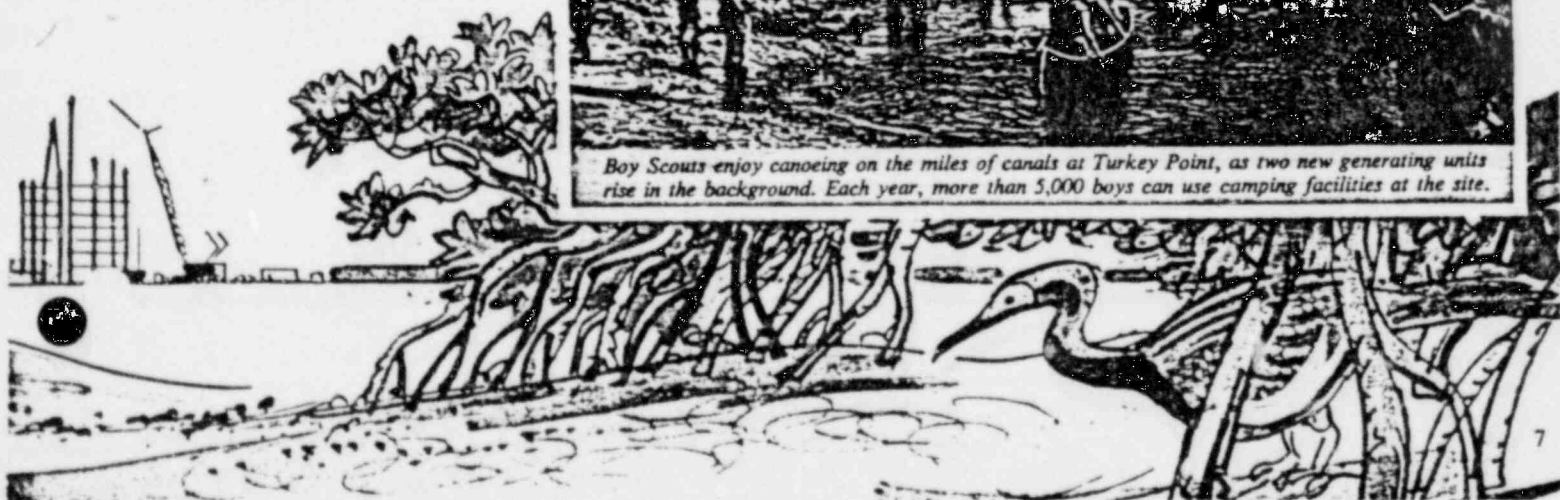
Turkey Point serves as new year-round training base for Air Force Sea Survival School classes.



Boy Scouts enjoy canoeing on the miles of canals at Turkey Point, as two new generating units rise in the background. Each year, more than 5,000 boys can use camping facilities at the site.



New silicone coating applied to insulators guards against salt deposits, protects service.

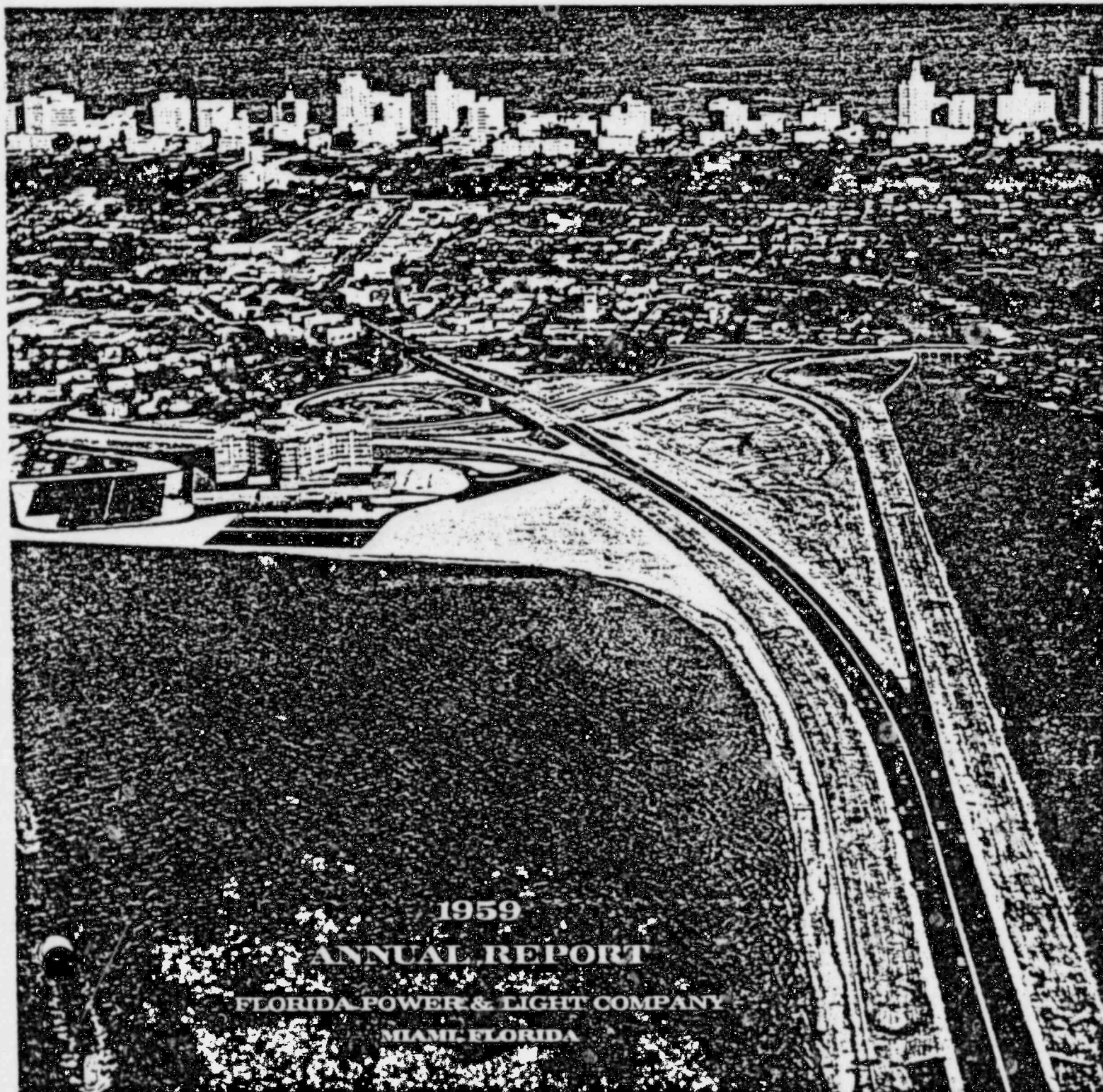


3

Excerpts from Florida Power & Light Company's Annual Reports  
for the Years 1959, 1961, 1964 and 1966.

# FLORIDA

...all roads lead to prosperity



1959

ANNUAL REPORT

FLORIDA POWER & LIGHT COMPANY

MIAMI, FLORIDA

New commercial offices were occupied at Bradenton and Punta Gorda. Many lines were expanded to supply much needed additional space, including the offices at Hialeah, Melbourne, Coral Gables and Live Oak.

New distribution yards were opened, including the Northeast Yard in Miami and 12 smaller satellite yards in other parts of the system.

We gained 49,330 new customers, constructing 1,031 miles of new lines to serve new areas. This included 697 miles of rural distribution lines.

Our system now serves 487 Florida towns, cities and communities. Seven of these granted new 30-year franchises to the Company during the year, making a total of 122 of the new ones now in effect which have been obtained since 1945.

### Financing in '59

To help meet the cost of our \$70.5 million 1959 construction expenditures, the Company marketed \$25,000,000 of First Mortgage Bonds in June and another \$20,000,000 similar issue in November. Both were sold at competitive bidding. The combined gross proceeds amounted to \$45,123,500 to the Company.

### Big Expansion Outlook

The first of two 240,000 kilowatt units under construction at the new Port Everglades Plant is going ahead on schedule for operation in May. The same is true of the second one which is set to start production in April of next year.

Looking further ahead, two 300,000 units are under contract for addition to the Riviera Plant and scheduled for operation in 1962 and 1963.

These projects already in progress,

plus other plant facilities, substation additions, new transmission and distribution lines and other improvements make up a 5-year expansion outlook that engineering estimates indicate will total some \$485,000,000.

Calling for construction expenditures averaging \$97,000,000 a year, this will be by far the biggest era of expansion the Company has ever experienced.

### Selling the Service

Our home service representatives and other sales personnel put on 2,854 group demonstrations and conducted nearly half a million personal interviews during the year, bringing our sales promotion messages to over two million individuals.

Together with other sales promotion activities, our effort helped our sales allies beat all previous records. Electric appliance sales by dealers totaled \$118 million, a 10% increase over 1958.

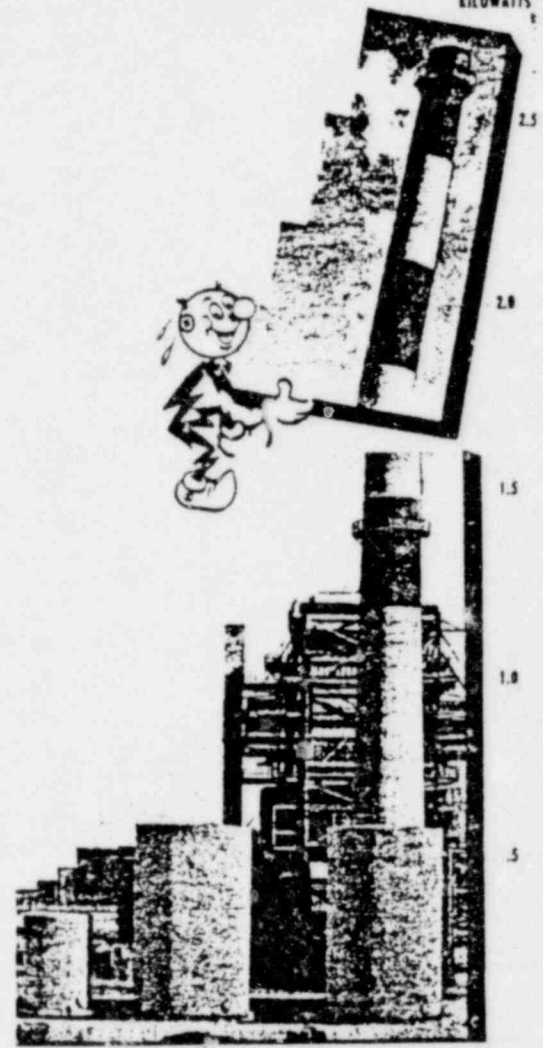
Unit sales of the major revenue producing appliances per 1,000 residential customers were about twice the national average on electric ranges, 2½ times on air conditioners and 6½ times on electric water heaters.

Some 45,000 new residential living units were built in the Company's territory. Of these, 72% were equipped with electric ranges, 63% with electric water heaters.

Adequate wiring and the Medallion Home promotion were both featured in our sales effort. During the year more than 99% of all new homes built were wired with sufficient capacity for both electric ranges and water heaters.

Surveys indicate that 58% of our customers now use electric cooking, compared with 34% nationally, and 62% use electric water heating vs. 19% nationally.

MILLIONS OF KILOWATTS

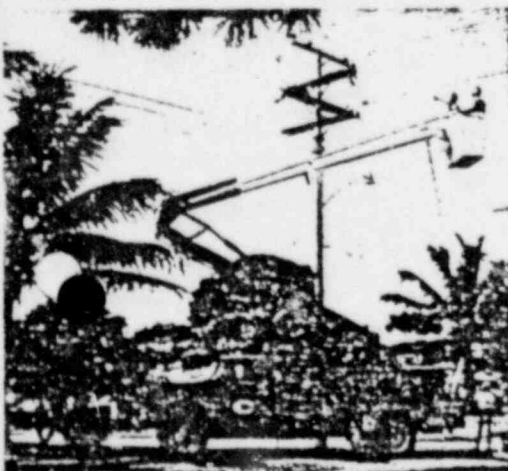


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### Four Year Blueprint For 66% Expansion

Work was pushed ahead on the two 240,000 kilowatt units at the new Port Everglades Plant. Contracts were let and preliminaries got under way for two 300,000 kilowatt units to be added at Riviera. These four big units will raise capability another 1,080,000 kilowatts to 2,728,000 by June, 1963.

Many jobs get done safer, more efficiently with these modern and versatile "Bucket Trucks."



Husky electric crane handles poles with greatest of ease at Miami's new Northeast Yard.



New Port Everglades' circulating water pipe can handle twice the output of Miami's water system.





# FLORIDA

...HORIZONS UNLIMITED



**1961**  
ANNUAL REPORT

FLORIDA  
POWER & LIGHT  
COMPANY  
MIAMI, FLORIDA

By the end of the year the Company was serving 805,447 customers located in 497 cities, towns, rural communities and adjacent areas.

These customers, on the average, also enjoyed the use of more and more "flameless" electric living. Average annual use per residential customer climbed to 5,008 kilowatt hours, up 292 kilowatt hours over 1960.

#### Promotion Pays Off

Aggressive sales promotion through appliance dealers and with the cooperation of other sales allies helped to account for the sale of more than \$115 million of domestic and commercial electric appliances and equipment, plus millions of dollars in additional sales of small appliances, lighting and wiring installations.

Some 435,000 major appliances, radios and TV's were sold.

Featuring the catchy slogan, "There's no match for flameless electric living—it's cheaper, cleaner, safer, too!" FPL's promotion helped achieve results in practically every field.

More than 88% of all new homes and apartment units were equipped with electric ranges vs. 78% in 1960 . . . over 70% had electric water heating vs. 64% the year before . . . 52% included air conditioning vs. only 33% for 1960.

Over 92% of all of the new homes and apartment units were wired for "Full Housepower" compared with 85% in 1960. And 5,175 living units were fully wired and equipped to earn "Medallion Home" certification, an increase of 73% over 1960.

In achieving these results, water heater sales per 1,000 residential customers were more than 6½ times the average in the rest of the nation; range sales were nearly

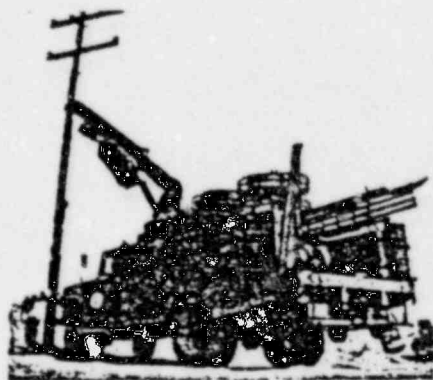
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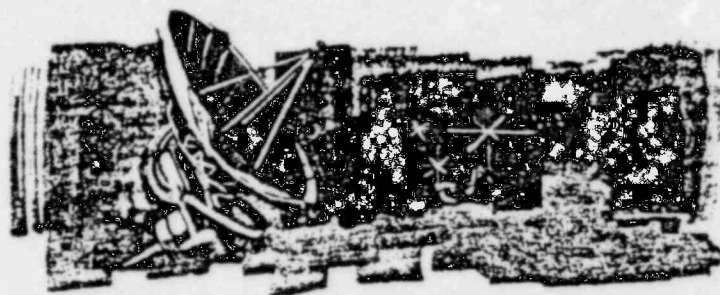
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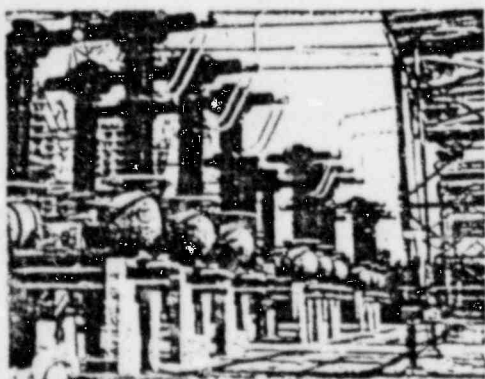
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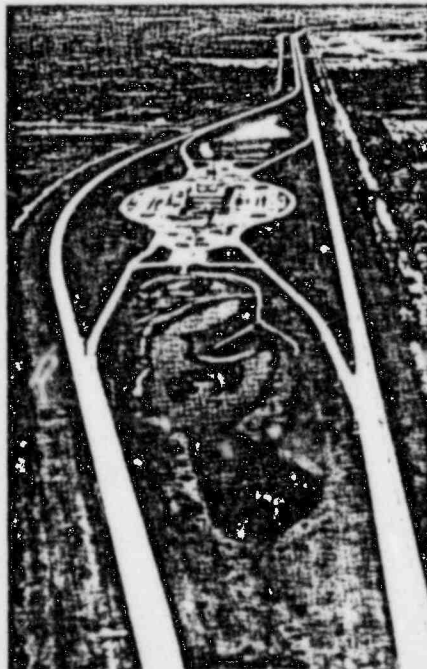
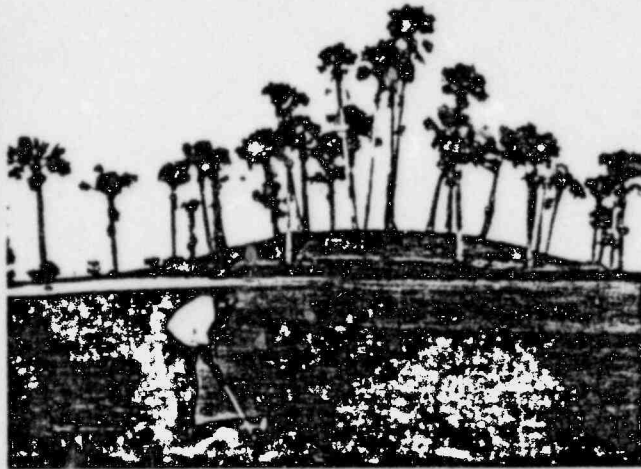
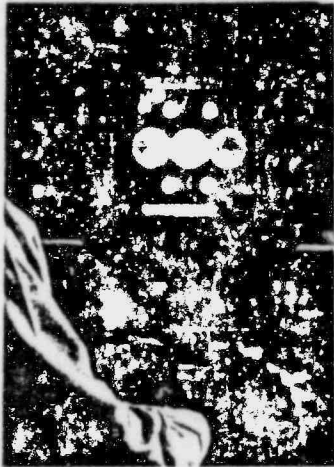


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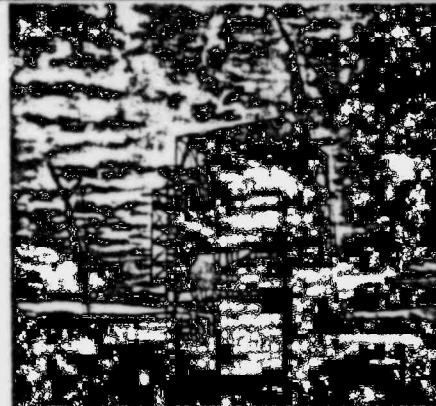
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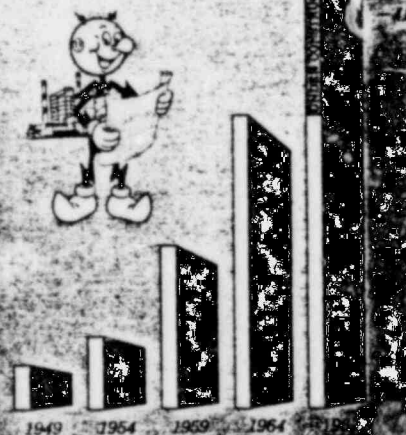
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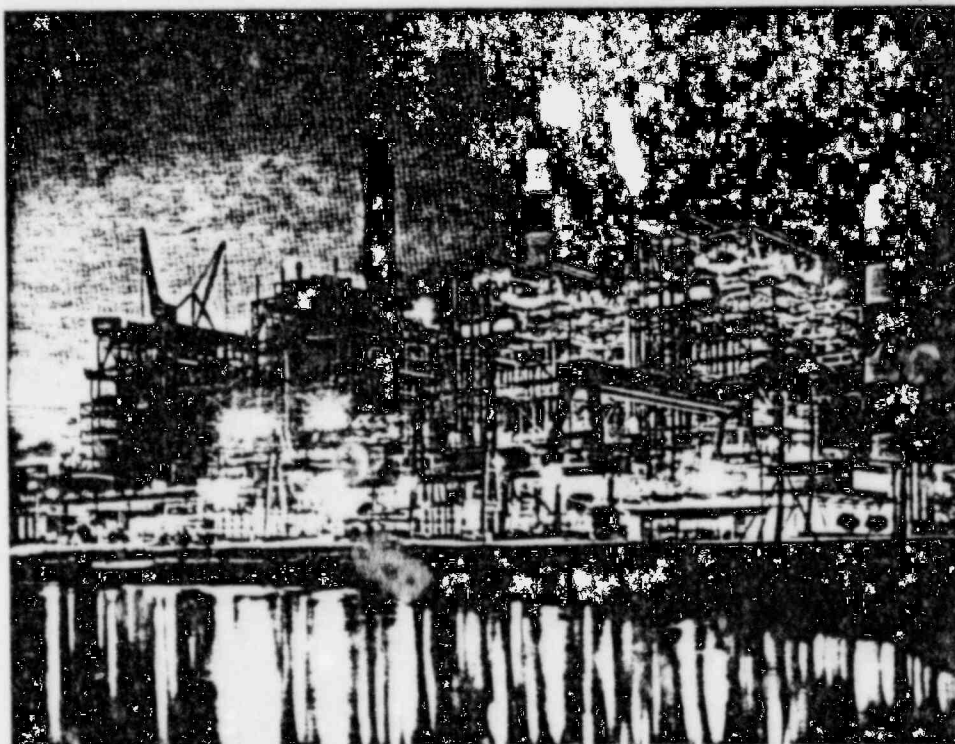


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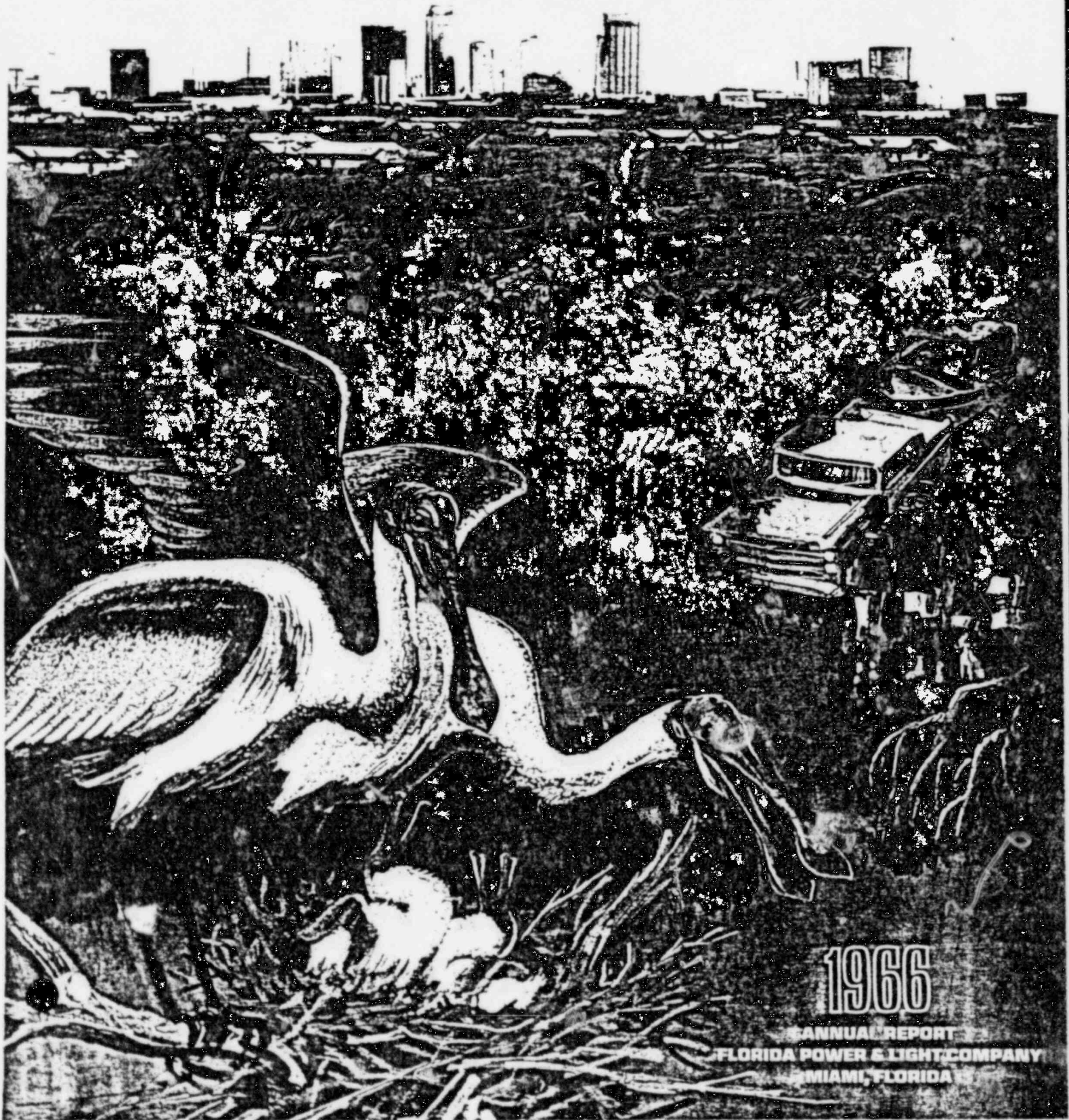


The 1964 addition to the Port Everglades (in photo below) added 425,000 kilowatts of system capability. After retirement of old generating equipment, capability was just under three million kilowatts at year's end. New plants under construction or planned will almost double the figure by the end of 1969.



EXPLORE

# FLO RIDA



1966

ANNUAL REPORT  
FLORIDA POWER & LIGHT COMPANY  
MIAMI, FLORIDA

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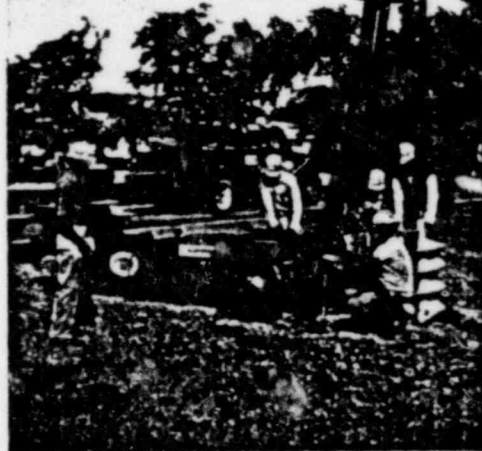
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More than 20,000 living units qualified for the coveted Medallion—12,000 met the Total-Electric Gold Medallion requirements. More than 81,000 homes and apartments now have been certified.

**High Saturation:** Of FPL's residential customers, 65% now use electric ranges and water heaters and over 50% are enjoying electric air conditioning. These are among the highest saturations in the United States.

Residential customers increased their average annual use to 7,315 Kwh's — a gain of 733. The annual average use per commercial customer reached 42,479 Kwh's—a gain of 2,522. Both residential and commercial customers' average annual use is well above the national average.



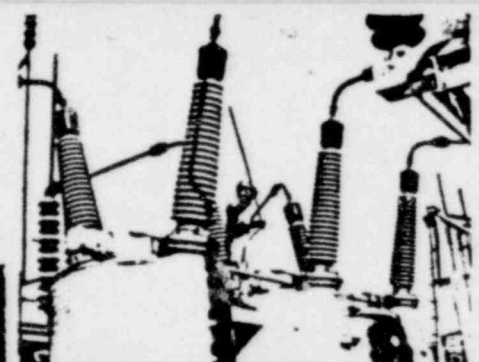
Modern vehicle, the Allevo-Gator, is used to set poles in narrow easements, helping speed work.



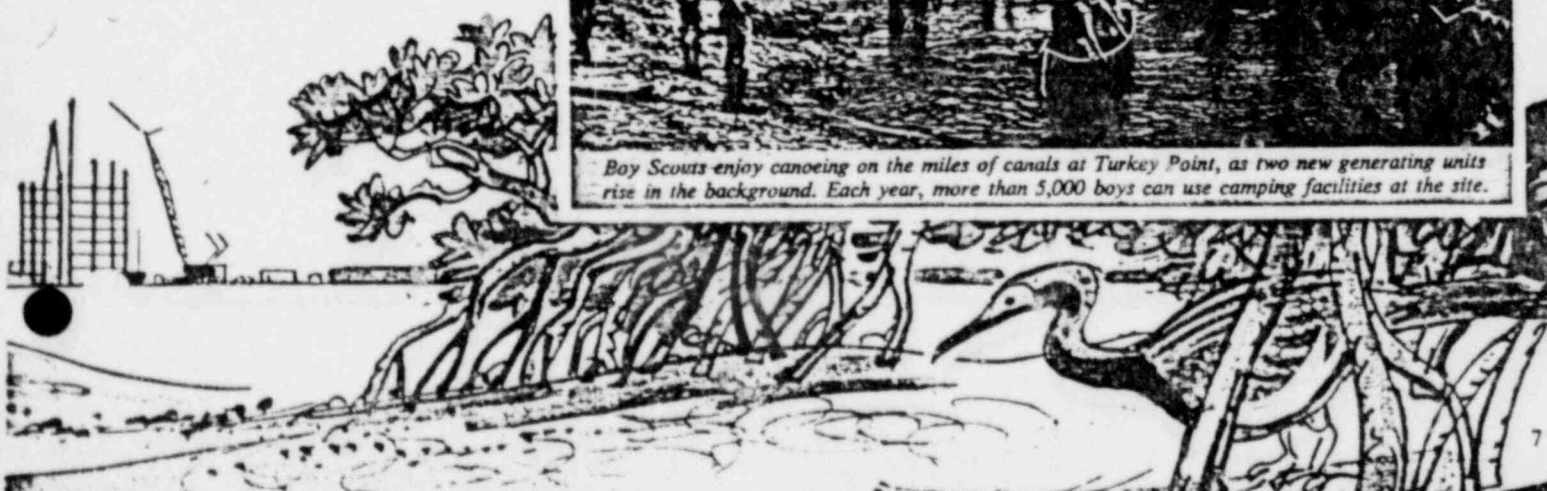
Turkey Point serves as new year-round training base for Air Force Sea Survival School classes.



Boy Scouts enjoy canoeing on the miles of canals at Turkey Point, as two new generating units rise in the background. Each year, more than 5,000 boys can use camping facilities at the site.



New silicone coating applied to insulators guards against salt deposits, protects service.



4

Interoffice memorandum, dated 10/20/65, R.S. Bostwick to J.M. Christian and others; subject: "Status Report on Isolated Power Plant and Competitive Air Conditioning Installations & Removals."

FLORIDA POWER & LIGHT COMPANY  
INTER-OFFICE CORRESPONDENCE

DOCUMENT 4

J. M. Christian ✓  
H. G. Hayes  
H. E. Freer  
O. O. Cook  
C. H. Smith

LOCATION Miami, Florida  
DATE October 20, 1965

COPIES TO J. H. Keele

TO

FROM

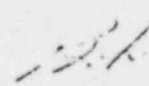
R. S. Bostwick

SUBJECT: STATUS REPORT ON ISOLATED POWER PLANT AND  
COMPETITIVE AIR CONDITIONING  
INSTALLATIONS & REMOVALS

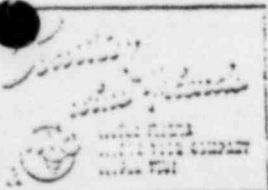
We are enclosing a summary by divisions of the status of isolated power plant and competitive air conditioning which no doubt you will wish to discuss at your next sales meeting.

While we recognize that some of the isolated power plant threats listed may have been successfully overcome they still show open on our log sheet.

As you know we have encouraged you to take credit for a "win" on the log sheet only when the job is truly sewed up. We still believe this is a good practice but it would be helpful to us if you would assess the seriousness of each threat, giving your comments each month when you send in any log sheets.

  
R. S. Bostwick

YTW



STATUS REPORT

ISOLATED POWER PLANT ACTIVITIES \*

October 1, 1965

	<u>North Div.</u>	<u>East Div.</u>	<u>Miami Area</u>	<u>Southeastern Div.</u>	<u>West Div.</u>	<u>Total</u>
* Total Number Threats	24	13	29	6	12	84
Total Number Installed	3	0	4	1	0	8
Total Number Won	13	9	20	2	7	51
Total Projects Abandoned	3	2	0	2	0	7
Total Now Pending	5	2	5	1	5	18
Existing Installations Removed	1	1	4	1	1	8

<u>Shut Downs &amp; Removals</u>	<u>Capacity</u>	<u>Actual Load</u>
Shaddix Ice Plant, Daytona	75 KW	50 KW
City Products Ice Plant, Belle Glade	750 KW	500 KW
Palm Springs Bowling, Hialeah	300 KW	236 KW
Brown's Tourist Court, Coral Gables	150 KW	75 KW
Banana Supply Co., Miami	150 KW	100 KW
General Dynamics, Ft. Lauderdale	130 KW	130 KW
New West Fla. Ice Co., Sarasota	100 KW	90 KW
Weekly Asphalt Batch Plant, Hialeah	<u>216 KW</u>	<u>216 KW</u>
	1,871 KW	1,397 KW - \$69,620

<u>New Installations</u>		
Rex Incorporated, Ft. Lauderdale	900 KW	420 KW
City Gas Company, Hialeah	150 KW	47 KW
City Gas Company, Cocoa	75 KW	50 KW
Edgar Keolin, Palatka	275 KW	275 KW
Polar Ice Palace, Miami	145 KW	140 KW
City of Cocoa (Engine Driven Water Pump)	1,000 KW	1,000 KW
Carusa Inc. (Shoe Mfg.) Hialeah	250 KW	200 KW
David William Apt (Sokolosky) Coral Gables	<u>790 KW</u>	<u>325 KW</u>
	3,585 KW	2,457 KW \$122,850

This dates from the entry of the natural gas pipeline into Florida  
We estimate @ \$50 per KW year net revenue, low at \$53,000 per year for 1,060 KW net load loss  
including 1,000 KW direct driven pumps Cocoa Water Plant.

ISOLATED GENERATION THREATS

PENDING

October 1, 1965

<u>DIVISION</u>	<u>APPLICATION</u>	<u>SIZE</u>
<u>Northern Divisions:</u>		
Alberta Hartog, Cocoa	Office Building	150 KW
New Desert Inn, Daytona	Motel	500 KW
Perry Apartments, Daytona	Apartment	1,000 KW
Brevard School Board	High School	400 KW
Miracle City, Titusville	Shopping Center	<u>1,000 KW</u> Est. (RSB)
		3,050 KW
<u>Eastern Divisions:</u>		
Ferrel Smith	Flower Growing	150 KW
La Coquille	Club	<u>350 KW</u>
		500 KW
<u>Miami Area:</u>		
✓ Garfield & Rovin	Apartment House	700 KW
✓ Miami Paper Board	Manufacturer	1,500 KW
✓ Dade Junior College	College	3,000 KW
✓ United Purveyors	Cold Storage	200 KW Est. (RSB)
Coral Gables Jr. High School	<del>Senior</del> <sup>Jr. H. School</sup>	<u>300 KW</u> Est. (RSB)
D.B.P.I. 17AVE NW 60ST		5,800 KW
<u>Southeastern Division:</u>		
Center Construction Corp.	Shopping Center	<u>1,200 KW</u> Est. (RSB)
		1,200 KW
<u>Western Division:</u>		
Royal Palm Bowling	Bowling	145 KW
S. Roake, Sarasota	Shopping Center	350 KW
S. Roake, Sarasota	Apartment	500 KW
Paver Construction, Sarasota	Shopping Center	600 KW
Joe Bill Road, North Trail	Shopping Center	<u>580 KW</u>
Sub-Total		2,175 KW
System Total		12,725 KW

Possible loss of revenue @ \$50 per KW Yearly = \$ 636,250.00



COMPETITIVE AIR CONDITIONING SUMMARY

<u>INSTALLATIONS</u>	<u>Totals to-date</u>		<u>1965 first 9 months *</u>		<u>1964</u>		<u>1963</u>		<u>Prior to Jan 1, 1963</u>	
	<u>Jobs</u>	<u>Tons</u>	<u>Jobs</u>	<u>Tons</u>	<u>Jobs</u>	<u>Tons</u>	<u>Jobs</u>	<u>Tons</u>	<u>Jobs</u>	<u>Tons</u>
Western Div.	48	651.5	6	134.0	10	206.5	13	166.0	19	145.0
Northern Div.	82	1,267.6	20	129.1	11	192.3	23	234.9	28	711.0
Miami Area	239	2,855.1	15	584.0	31	280.0	54	416.8	130	1,507.8
Eastern Div.	80	596.5	7	73.0	19	138.7	19	101.6	35	283.2
Southeastern Div.	46	598.3	3	18.5	1	2.8	6	32.1	36	544.9
<b>Total</b>	<b>495</b>	<b>5,969.0</b>	<b>51</b>	<b>938.6</b>	<b>72</b>	<b>820.3</b>	<b>115</b>	<b>951.4</b>	<b>248</b>	<b>3,191.9</b>

<u>REMOVALS</u>										
Western Div.	2	6.0	0	0	2	6.0	0	0	0	0
Northern Div.	8	69.0	2	30.0	5	36.5	0	0	1	3.0
Miami Area	23	483.5	5	326.0	5	47.0	10	74.5	6	36.0
Eastern Div.	1	21.0	0	0	0	0	1	21.0	0	0
Southeastern Div.	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>39</b>	<b>579.5</b>	<b>7</b>	<b>356.0</b>	<b>12</b>	<b>89.5</b>	<b>11</b>	<b>95.5</b>	<b>9</b>	<b>39.0</b>

<u>NET - INSTALLATIONS</u>										
Western Div.	46	645.5	6	134.0	8	200.5	13	166.0	19	145.0
Northern Div.	74	1,198.6	18	99.1	6	155.8	23	234.9	27	708.0
Miami Area	211	2,371.6	10	258.0	26	233.0	44	342.3	122	1,471.8
Eastern Div.	79	575.5	7	73.0	19	138.7	18	80.6	35	283.2
Southeastern Div.	45	578.8	1	18.5	1	2.8	6	32.1	36	544.9
<b>Total</b>	<b>455</b>	<b>5,370.0</b>	<b>42</b>	<b>582.6</b>	<b>60</b>	<b>730.8</b>	<b>104</b>	<b>855.9</b>	<b>239</b>	<b>3,152.9</b>

Net Annual Revenue										
Loss @ \$50/ton/Yr =	\$ 268,500.00		\$ 29,130.00		\$ 36,540.00		\$ 42,795.00		\$ 157,645.00	

\* September reports from Eastern Div. and Northern Div. not received at this date.

COMPETITIVE AIR CONDITIONING THREATS PENDING

<u>Divisions</u>	<u>As of Oct. 1, 1965</u>		<u>As of January 1, 1964</u>		<u>As of January 1, 1963</u>	
	<u>Jobs</u>	<u>Tons</u>	<u>Jobs</u>	<u>Tons</u>	<u>Jobs</u>	<u>Tons</u>
WESTERN DIV.	7	466.0	6	210.0	0	0
NORTHERN DIV.	19	2,051.0	15	2,530.5	24	2,422.5
MIAMI AREA	25	5,336.4	37	4,792.0	39	9,296.0
EASTERN DIV.	7	745.5	12	1,384.0	2	360.0
SOUTHEASTERN DIV.	4	248.0	3	180.0	0	0
TOTAL	62 *	8,846.9 *	73	9,096.5	65	12,078.5

\* Potential Annual Revenue Loss @ \$50 / Ton / Year = \$442,345.00

# FLORIDA POWER & LIGHT COMPANY

## INTER-OFFICE CORRESPONDENCE

Messrs: N. H. Bollinger  
 R. J. Bradley  
 R. S. Chandler  
 R. F. Lewis  
 L. C. Norman  
 H. M. Stainton  
 F. E. Yanaros  
 J. M. Christian

LOCATION Miami Sales Dept.  
 DATE July 21st, 1965

COPIES TO Messrs: J. H. Keele  
 F. E. Autrey  
 R. S. Bostwick  
 W. F. Abbott  
 A. F. Dickey  
 G. N. Eaton  
 H. W. Engel  
 J. A. Holland  
 J. M. Watson

SUBJECT: REPORTS ON ON-SITE GENERATION

According to our June report, it reflects that we still have eleven on-site threats pending. Would you please review these and close out those that should be closed in your July report.

In the future, I would like to have a report each month on all on-site threats pending. As of now, the latest report on each pending threat is as follows:

<u>REPORT #</u>	<u>DATE</u>
12 HL	10-21-63
15 HL	2-18-64
16 HL	5-26-64
17 HL	10-13-64
21 HL	3-17-65
22 CG	3-26-65
23 ME	3-31-65
24 HL	4-29-65
25 HL	4-29-65
26 HL	4-19-65
27 ME	5-14-65

*J. M. Christian*  
 J. M. Christian

JMC:sg



5

Interoffice memorandum, dated 2/9/67, J.M. Christian to L.H. Adams and others; subject: "Summary of Isolated Power Plants."

FLORIDA POWER & LIGHT COMPANY  
INTER-OFFICE CORRESPONDENCE

		LOCATION	Miami Sales Dept.
		DATE	February 9th, 1967
Messrs:	L. H. Adams	R. E. Lewis	
	R. S. Chandler	C. C. Norman	
	G. N. Eaton	H. M. Stainton	
TO	W. M. Klein	F. E. Yanaros	COPIES TO
FROM	J. M. Christian		

SUBJECT: SUMMARY OF ISOLATED POWER PLANTS

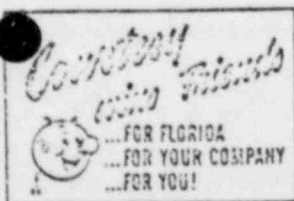
Attached is a copy of a brief summary of the experiences with competitive power generation.

You will note that seven out of thirteen plants have returned to purchased power. Of the remaining six, two are fuel company offices.

Please use this information with discretion. They should not be given out to customers, engineers, architects, etc.

*J. M. Christian*  
J. M. Christian

JMC:sg  
Attachment



## COMPETITIVE EXPERIENCE WITH SELF GENERATION

FLORIDA POWER & LIGHT CO.  
R. S. Bostwick, Director Power Sales  
Period Covered April 1960 thru January 1967

- A. Jobs Lost To "Do it yourself" Generation—This group have now returned to purchased power.
1. CLAY MINES - 270 KW - Caterpillar Natural Gas - Installed October 1960. Process heat to dry clay, previously done by oil. Pipeline agreed to build line into customer by setting minimum therms per month above actual requirements. Thus "free gas" to use up minimum was available for self generation for part of electric requirements. Engine generator has now been offered for sale but no buyer has been located at this date. Engine generator has not run in over a year.
  2. ICE SKATING RINK - 145 KW - Caterpillar Natural Gas - Installed Aug. 1962 Electric service deposit guarantee against no capital outlay and guaranteed fuel and maintenance costs were mainly responsible for this installation. Return to purchased power Jan. 1966.
  3. METAL HEAT TREATING PLANT - First engine generators installed 1963. Returned to purchased power January 8, 1967
  4. BOWLING LANES - Three - 100 KW Kohler Generators driven by Three-200 h. p. Waukesha Natural Gas engines. Fuel supplier offered a lease and fuel supply including all maintenance for a price not to exceed 75% of the previous 12 months purchased power bills. This installation was completed and became operational January 24, 1964. It remained in use for 3 weeks and purchase power was restored on February 14, 1964. Still on purchased power December 1966.
  5. MANUFACTURER OF LADIES SHOES - One-435 h. p. Chicago Pneumatic Tool Company, 600 R. P. M. Natural Gas engine driving a 250 KW generator, waste heat recovery system and absorption air conditioning. Installation completed about June 21, 1965 except for the glass front "showcase". On July 8, the plate window facing the street was installed but decorative exterior wall treatment not yet complete. Returned to purchased power December 10, 1966.
  6. FLOWER FARM - Poor customer relations due to frequent necessity for cut off for non-pay cause the installation 100 KW Caterpillar engine generator Sept. 1965. Returned to purchase power Oct. 1966.
  7. ASPHALT BATCHING PLANT - Due to expected temporary location of this plant, 1 - 200 KW Caterpillar engine generator was installed in February 1964. When location was decided on as permanent engine was shut down and purchased power installed March 1965.

- B. Jobs Lost To "Do it yourself" Generation — This group is still generating their own electricity.
1. GAS COMPANY OFFICE - 75 KW - Caterpillar Natural Gas - Installed April 1962. This is a glass front building especially constructed to promote self generation. Air Conditioning is gas engine drive. 75 Kw skid mounted standby engine generator added about one year later. Requested and received FP & L service for computer room July 1966.
  2. SECOND GAS COMPANY - In July 1964 the gas company installed a glass enclosed total energy show case at its Northern Division headquarters using a Caterpillar 75 KW engine generator with waste heat recovery for 25 tons of absorption air conditioning.
  3. APARTMENT HOUSE - Two Model 831 Air Research Garret Corp. natural gas turbine generators with waste heat boilers and absorption air conditioning. These generators have a nominal rating of 270 KW each. One 250 KW Caterpillar natural gas engine generator is on roof top site location as standby. This is a lease arrangement and is to be a "show case" for fuel supplier, manufacturer and the total energy industry. An engineer from the manufacturer is living in this 12 story 200 unit apartment on a field assignment for one year. Attached is a detailed chronological summary. Suit to break contract pending December 1966. Both gas turbine generators removed and 2 new units installed to provide 300 KW each.
  4. PAPER BOARD MILL - Purchased 3500 KW steam turbine generator for use at Baltimore. Labor problems there forced them to ship this equipment to Miami. Installed June 1966.
  5. COLD STORAGE PLANT - Having been sold on direct engine drive for three refrigeration compressors customer added 250 KW engine generator in Oct. 1965.
  6. HIGH SCHOOL - Four high schools were built from same set of plans. School board agreed to make one of them an experiment in total energy. An agreement was reached to pay the engine vendor a rental equal to the average of the three electric schools. This rental to include all gas fuel used as well as maintenance. There are 2 - 250 KW Caterpillar engine generators and 1 - 25 KW Onan. The 25 KW unit has not been able to carry the night and Sunday loads, so one of the 250 KW units is running all night on light load. Installed February 1966. One generator burned up June 1, 1966. It has been repaired. In January 1967 outage occurred at night with auditorium filled with people. Power restored the next morning.

6

Cross-examination of R.J. Gardner, in Florida Power & Light Co., FERC Docket No. ER78-19, Phase II, 11/15/79 and 11/19/79, Tr. 313, 468-473.



BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

-----X  
 :  
 In the Matter of: :  
 : Docket No. ER78-19  
 FLORIDA POWER & LIGHT COMPANY : Phase II  
 :  
 -----X

Hearing Room F  
 Federal Energy Regulatory Commission  
 825 North Capitol Street  
 Washington, D. C.

Thursday, November 15, 1979

The above-entitled Matter convened for hearing, pursuant  
 to adjournment, at 10:00 a.m.

BEFORE:

CURTIS L. WAGNER, JR., Presiding Administrative Law Judge

APPEARANCES:

(As heretofore noted)

ADDITIONAL APPEARANCES:

JAMES E. HICKEY, JR. and  
 GEORGE F. BRUDER, Bruder & Gentile, 1201 Connecticut  
 Avenue, N. W., Suite 708, Washington, D. C. 20036, appearing  
 on behalf of Florida Power Corporation.

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Metagna

TELEPHONE (202) 534-9050

COLUMBIA REPORTING CO.

800 MARYLAND NORTON  
WASHINGTON, D. C. 20024

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EX 34

TELEPHONE (202) 534 9030

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480 SEVEN STEEL NW  
WASHINGTON, D.C. 20004

1 your testimony that the plans submitted to the FCG in that  
2 period in no case presumed the use of the FP&L system for  
3 the wheeling of power?

4 A I don't think the FCG was in existence in 1972, but  
5 I am not sure.

6 Q Well, there was a predecessor agency, wasn't there?

7 A There was a Florida operating committee at that  
8 time.

9 Q Do you know whether the members of that committee  
10 submitted transmission plans?

11 A No, I don't. I don't know to what extent the  
12 operating committee was engaged in joint planning. I believe  
13 there were some joint transmission studies.

14 Q When did the FCG come into existence? Approximately?

15 A I am going to say about '73 or '74.

16 Q '73. Or in '73 or whenever it came into existence  
17 first and the transmission plans were submitted, is it your  
18 testimony that those plans contained no provision for the  
19 wheeling of power through the FP&L transmission system?

20 A In 1973 I don't think they did. I don't think we  
21 had any requests for wheeling in 1973.

22 Q I am not asking you if you had any requests, but  
23 asking you whether the plans provided for wheeling in future  
24 years?

25 A I don't think -- well, all I am trying to say is

BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

----- X  
 :  
 In the Matter of: :  
 : Docket No. ER78-19  
 FLORIDA POWER & LIGHT COMPANY : Phase II, et al  
 :  
 ----- X

Hearing Room F  
 Federal Energy Regulatory Commission  
 825 North Capitol Street  
 Washington, D. C.

Monday, November 19, 1979

The above-entitled Matter convened for hearing, pursuant  
 to adjournment, at 11:00 a.m.

BEFORE:

CURTIS L. WAGNER, JR., Presiding Administrative Law Judge

APPEARANCES:

(As heretofore noted)

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334 9050  
COLUMBIA REPORTING CO

WASHINGTON, D. C. 20004

1 as part of the application to acquire the Vero Beach system  
2 in 95-74.

3 MR. HALL: At the rate we are going, it seems we will  
4 have all of the Commission's filed by reference in the case.  
5 I don't know what that document shows and never looked at it  
6 before myself so I don't know whether I object or don't. I  
7 just don't think it is the proper way to go about things when  
8 the witness has never looked at it.

9 PRESIDING JUDGE: I will give you an opportunity to look  
10 at the document and also Mr. Shapiro and I will reserve ruling  
11 on it. We will hold Item by Reference E for it.

12 (ITEM BY REFERENCE E IS RESERVED FOR THE DOCUMENT  
13 REFERRED TO.)

14 PRESIDING JUDGE: If you will make every effort to look  
15 at it at an early date.

16 MR. HALL: I will if Mr. Guttman can make it available  
17 to me. I will look at it.

18 BY MR. GUTTMAN:

19 Q Mr. Gardner, you are referred to the history of  
20 coordinated planning in Florida regarding one of the utilities,  
21 do you recall that generally?

22 A Yes.

23 Q And you specifically stated that -- will you look  
24 at RJG-6, page 3 of 5, your Exhibit 6.

25 PRESIDING JUDGE: What page of Exhibit 6?

1 MR. GUTTMAN: Page 3 of 5.

2 BY MR. GUTTMAN:

3 Q There you say there had been at least 15 years of  
4 actual operations in coordination of generation and trans-  
5 mission planning, do you see that?

6 A Yes.

7 Q Under the Pool paragraph?

8 A Yes.

9 Q Now, this letter was written in 1976, is that  
10 correct?

11 A Yes.

12 Q So you are saying there that back until, that at  
13 least from 1961 on there was actual operation in coordination  
14 of generation of transmission planning, is that correct?

15 A Yes.

16 Q What are your sources for that statement?

17 A Generally, my conversations with Mr. Page.

18 Q When you say "conversations", do you recall the  
19 conversation in 1977 and earlier, you said you recall that,  
20 but what others?

21 A I can't recall specifically conversations with  
22 Mr. Page. I have known him for 25 years or more and I  
23 associated with him on many different occasions in the company  
24 and I have talked with him about his work on the Florida  
25 operating committee. I looked at testimony that Mr. Page gave

TELEPHONE (202) 554-2030

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WASHINGTON, D.C. 20024

1 to the Florida Public Service Commission that talked about  
2 coordination of operation and transmission planning.

3 I can see in my mind a slide that was presented to the  
4 Florida Public Service Commission in which a number of state-  
5 wide transmission plans were shown, that is, documents many  
6 pages thick of transmission plans.

7 Q When you say "you have seen them on the slide" and  
8 you referred earlier to his public service testimony, was  
9 this related to that testimony?

10 A If it is testimony or presentation of some kind --  
11 I can see the slide and I can see the things Mr. Page said  
12 about c-ordination of transmission. It may not have been  
13 testimony, but it may have been a presentation, but --

14 Q Approximately what period was this?

15 A This was somewhere around the period of '73-74.

16 Q Now, earlier, you said that the Florida Electric  
17 Coordination Group or FCG was born in '73 or '74, do you  
18 recall?

19 A Yes.

20 Q What was the coordination mechanism prior to FCG?

21 A To my knowledge, it was the Florida Operating  
22 Committee.

23 Q When was that created?

24 A I am not sure.

25 Q Who were the members of the Florida Operating  
Committee?

1 A Well, I think -- well, at what time -- the membership  
2 varied, I am sure, over a time, but it included -- I seem to  
3 remember it included Jacksonville, Orlando, Florida Power &  
4 Light, Florida Power Corporation, Tampa Electric, and the  
5 ones, they are the ones I know of and later on it included,  
6 I think, Ft. Pierce, Lakeland, Gainesville, Tallahassee, but  
7 I am going on very faint recollection now.

8 Q Is it your testimony that Ft. Pierce was at any  
9 time a member of the Florida Operating Committee?

10 A I seem to remember them being on the committee, but  
11 I can't say for sure.

12 Q Is it your testimony New Smyrna Beach was at any  
13 time a member of the Committee?

14 A I don't know.

15 Q Was Lake Worth at any time a member of the Florida  
16 Operating Committee?

17 A I don't know.

18 Q What about Starke or Homestead?

19 A I don't know about them. I thought they were, but  
20 if they weren't, then I --

21 Q Were you personally involved at any time in the  
22 activities of the Florida Operating Committee?

23 A No.

24 Q Can you specify the examples of actual operation  
25 and coordination of generation and transmission planning

1 referred to in your letter by reference to the Florida  
2 Operations Committee activities?

3 A I mentioned the transmission plans and I can see in  
4 this slide -- to my knowledge, there was an ongoing program  
5 of transmission planning between the various utilities having  
6 transmission in Florida.

7 There were maintenance schedules exchanged, there were  
8 outages that were investigated. There was a spinning reserve  
9 formula. There was an operating handbook put out by the  
10 Florida Operating Committee. There were load shedding relay  
11 schemes that were developed and installed and coordinated by  
12 the Operating Committee, procedures for interchange and  
13 dispatch that were developed, methods for time compensation  
14 and frequency compensation were developed and interconnections  
15 were developed or recommended or dealt with in some way.

16 Q Is it your testimony that during the period of this  
17 activity the Florida Operating Committee members planned on  
18 an integrated basis?

19 A I, my testimony was it was coordinated transmission  
20 planning. I am not sure what "integrated" means exactly.

21 Q Did they plan their transmission independently?

22 A Each company planned its transmission independently.  
23 It is my understanding it coordinated transmission with each  
24 other through the Florida Operating Committee.

25 Q When you say "coordinated", was it in any way modified

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1 to meet the plans of the neighbors?

2 A I am sure they must have been, if they had inter-  
3 connections that developed.

4 Q Were the agreements modified pursuant to the  
5 activities of the Florida Operating Committee or pursuant to  
6 the particular agreements between the utilities involved?

7 A I think, if modifications were indicated, it was by  
8 the plans and planning studies that were done by the Florida  
9 Operating Committee. That is my understanding.

10 Q The agreements to modify were done pursuant to  
11 arrangements worked out in the Florida Operating Committee,  
12 is that correct?

13 A I think the need for the modifications was identified  
14 by the Florida Operating Committee. I think once the need  
15 was identified, then the parties themselves proceeded with  
16 changes in their plans or to work out other arrangements.

17 Q Do you recall Mr. Bivans' testimony on the operations  
18 of the Florida Operating Committee in 1965 before this  
19 Commission?

20 A In 1965?

21 Q Yes. Have you ever discussed it with Mr. Bivans?

22 A No.

23 Q Did you ever discuss the activities of the Florida  
24 Operating Committee with Mr. Bivans?

25 A I am sure I have, but I can't put my mind on a

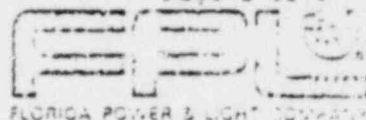
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7

Letter, dated 11/16/76, R.J. Gardner to H. Luff, Orlando  
Utilities Commission.



FLORIDA POWER &amp; LIGHT COMPANY

November 16, 1976

Mr. Harry Luff  
Orlando Utilities Commission  
P. O. Box 3193  
Orlando, FL 32802

Dear Harry:

At the end of the Florida Utilities Steering Committee meeting in Tampa on Thursday, November 4, 1976, you asked me to put in writing the substance of a number of ideas and concepts I outlined for the Committee on behalf of FPL. These points and concepts were made in response to the recital by Stan Livengood of seven "areas of concern" concerning our site study proposal developed by some group which Stan purported to represent. It was represented to us that there had been a meeting in Orlando the previous week of a number of utilities (which ones was never brought out). FPL was not invited to or aware of this meeting; consequently all we know about it is what you and Stan said at our meeting. Apparently there is some relationship between the seven areas of concern recited by Stan and seven points recited in a letter from Mr. Jablon to Tracy Danese dated October 21, 1976, (a copy of which was not sent to me), although the items are somewhat different in the two cases. Also, I have just received another letter from Mr. Jablon dated November 12, 1976.

I remain in a state of confusion about the status of these matters in relationship to our offer to conduct a siting study. At one point, the matters were characterized as points on which there must be "full" agreement before our proposal can be accepted. At another point, it was stated that "agreement in principle" was necessary. Mr. Jablon's letter seemed to say final agreement was not necessary to proceed. Stan said there were three major concerns and four others that he was not particularly concerned about. Stan said he did not agree with Mr. Jablon about the necessity of agreement on the nuclear fuel question. You said the financing point was not of great importance for Orlando. Harry Wright said financing was not important to Seminole. There was some reference to a steering committee of the "intervenor group" but not all members of the group agreed with all the matters. Those examples will, I am sure you understand, serve to illustrate why we are unsure just how to regard the matters in relation to our offer. Consequently, we will not amend our offer but will discuss generally our thinking on the various points that were raised.

-2-

In any event, I will attempt to summarize and to expand on the views which I expressed last week in Tampa. In doing so, I will attempt to avoid discussing matters in issue in the litigation pending before the NRC except to the extent that some reference to such matters is necessary to an accurate summary of what transpired in Tampa.

First of all, we do not feel that the subject matter of the various points discussed is germane to conducting a site study and proceeding ahead to develop a joint nuclear power project as soon as possible. Many of the issues are in litigation in your South Dade anti-trust intervention. Some of the issues are, in one form or another, germane to an overall project participation agreement. You will recall that very early in our Steering Committee activities, we appointed a subcommittee to draft a joint participation agreement in parallel with the work of finding a site and defining a project. It was and remains our feeling that you can bring the benefits of nuclear power to your customers much faster if we can get on with technical matters in parallel with the resolution of commercial agreement. This subcommittee, consisting of George Moore (FPC), Stan Livengood (Gainesville), Harry Wright (Seminole), and yourself, has not reported any progress since the July 14th meeting in Orlando. It is very distressing to us to see our Committee sliding into delay of nuclear power to your customers by insistence on making an ultimate commercial project agreement a condition of proceeding any further. We can certainly appreciate that your public governing boards want assurance that your investment in siting studies will lead to a successful joint venture. I have to reply that when FPL embarks on the task of finding a site for generation 10 to 20 years hence, we have no assurance that we will be able to find one, that we will be able to license units, that we will be able to finance units, that we will be able to build the units, or that we will be able to operate them. We are simply not in a position to insulate other utilities from the risks of bulk power supply planning in this day and age.

Nevertheless, let me proceed on the seven areas of concern in the order I listed them on the blackboard during the meeting as near as I can recall them. The word "major" in parentheses is intended to denote those areas which Stan felt were most important.

Transmission (Major) - We have repeatedly stated in these and other meetings that if any utility requires our transmission facilities to receive his share of power from any joint project we agree on, we will negotiate a transmission service agreement with that utility for that power. Any such agreement is, of course, subject to approval of the Federal Power Commission.

During the discussion, we were asked why we would not agree to a general wheeling tariff. The answer is that we feel that individually negotiated transmission service contracts are the most equitable kind of arrangements in that they can comprehensively reflect all of the conditions and particular circumstances that each party finds himself in.

A general wheeling tariff could result in inequities to one of your utilities or to FPL. You could pay more for transmission under an across-the-board tariff than under a transmission service agreement in some circumstances.

Legislation (Major) - As I stated at the meeting, I am reluctant to make any commitment on legislation affecting municipal finance because I am simply ignorant of the technicalities, complexities, requirements, issues, and practices of municipal finance. I don't understand the trouble that municipals allegedly have in financing, particularly in view of the fact that a number of municipal systems have recently, and to the best of my knowledge successfully, financed ownership shares in the Crystal River nuclear plant. I believe I noted that FPL has difficulties in financing and if we are to work together on any such matters, we would hope to be equal beneficiaries of any favorable results. However, I do not think that it is appropriate for any party to the Joint Venture studies to insist that any other party contract to take a particular position on matters that may at some future time be before the Florida legislature.

Fuel - We have offered to provide fuel procurement services as part of an overall project agreement. As we described to you in our meeting, we do not see any connection between South Dade fuel procurement and Joint Project fuel procurement since most of the contracts are unit related nor do we see any advantages to accrue as a result of pooling of demand.

Pool - I am not entirely clear as to all of your concerns in this area. It is my belief that we have a power pool in Florida as a result of the network of bilateral interchange agreements, the adoption of the Florida Operating Committee Handbook, the joint agreement forming the FCG, and at least 15 years of actual operation and coordination of generation and transmission planning. It is my impression that all power pools differ in their particular scope, terms, and conditions, and our Florida pool is no exception. It would be surprising if all members of a pool would agree in all respects on all of the possible features that one pool member may feel advisable and again the Florida pool is no exception. I think the important thing is that Florida customers are receiving the identifiable mutual economic benefits provided by the kind of inter-utility cooperation that we understand as pooling. Through the FCG planning study, and this joint venture, we hope to identify still more mutual benefits. The FCG structure provides a basis for continuous change and improvement. Under our pool, you and other systems have been able to develop alternative power resources such as your participation in Crystal River. I think

we would be doing a grave injustice to the people of Florida if we postponed the joint venture we have proposed until our power pool reaches the ultimate state of development that any individual pool member could conceive of.

Site Location - The issue of access to our site is involved in the NRC litigation. Our position on confining sites to the north end of the state is set forth in our offer and that, in simple terms, is whether the ultimate development of the state is on a single system or multiple-system basis; there are still no large sites identified in the north end, and it is the lack thereof to which our offer is addressed. Moreover, it is apparent that the loads of the Joint Venture participants are centered in the Northern part of the state.

Fees - We continue to believe that fees related to the fair value of our management services are an appropriate method of compensation.

Participation (Major) - We have taken the position since the first session in which a joint venture was discussed that we would consider various alternatives as to utilizing the output of such a facility depending on the overall participation. Despite the fact that our participation was not, in fact, initially necessary for the project to be fully subscribed, you and other members of the group continue to indicate that our participation is necessary in order to constitute some sort of performance bond for our good faith implementation of the management of the project. It seems to me somewhat peculiar to insist that FPL's presence is absolutely necessary for optimum development of the State's power system, but on the other hand we are really not worthy of trust. Your counsel says that we can't be trusted because we are in competition. He says that his objective is to eliminate competition; at the same time FPL is being belabored by your other counsel before the NRC for being anti-competitive. Despite the fact that our participation will reduce the benefits of nuclear power to your customers, if you insist, we are willing to include in our planning the purchase of unit power from the Joint Venture. Mr. Bivans has authority to negotiate with the Venture for the purchase of nominal amounts of power on a take-or-pay basis, over the life of the project.

Mr. Jablon's letter contained another point which was not among use listed on the board although there was some discussion on it. There seems to be some desire on your part to relate the joint project which is the subject of our offer with the South Dade Project and to condition your willingness to proceed with the joint project on the abandonment of our position on your participation in South Dade.

In this connection, I reported to you a communication we received from Westinghouse to the effect that they were willing to offer to provide two units identical to the South Dade units which would enable us to license four units in the South Dade proceedings, two of which would be FPL-solely-owned units at South Dade and two of which would be Joint Project units at another site in the Northern part of the state. I stated that it was Westinghouse's feeling that there was substantial savings in money and time for the Joint Project in such an approach. I told you that Westinghouse had requested an opportunity to discuss this matter with the Steering Committee. Stan Livengood took the position that unless FPL was willing to offer 25% of South Dade, he would not listen to Westinghouse. Stan said that Gainesville would not take 25% of South Dade but that some unspecified group would. I was unable to determine for whom Stan was acting in taking that position.

I hope that the above contains at least a reasonable written summary of many points that were raised. We continue to hope that we can work in parallel with developing a project agreement so as not to delay the benefits of nuclear power to your customers and that you will use your best offices to get your subcommittee moving on this effort.

The opportunity to develop this Joint Venture is available to you. The necessary electric loads and financing capability are present. FPL has offered to make available its experience and management capability. In addition, we have committed to make such transmission arrangements as are necessary for participation by systems located within our service area and have indicated a willingness to participate directly by entering into "take-or-pay" unit power contracts. The time has come for making decision, committing investments, and assessing and taking risks. We will help you as much as we can, but we cannot insulate you from these risks.

Very truly yours,



R. J. Gardner  
Vice President

RCG/pac

cc: Members of the Florida Utilities Steering Committee

8

Deposition Testimony of Robert H. Fite, taken in Lake Worth Utilities Authority, et al. v. FPL, Case No. 79-5101-Civ.-JLK, U.S. Dist. Ct., Southern District of Florida, 5/6/81 and 9/18/81, Tr. 17, 623, 628.



1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 SOUTHERN DISTRICT OF FLORIDA

4 Gainesville Regional Utilities, The Lake )  
5 Worth Utilities Authority, The Utilities )  
6 Commission of New Smyrna Beach, The Sebring )  
7 Utilities Commission, and the Cities of )  
8 Alachua, Bartow, Fort Meade, Homestead, )  
9 Kissimmee, Mount Dora, Newberry, St. Cloud, )  
10 Starke, and Tallahassee, Florida, )

11 Plaintiffs, )

12 vs. )

13 Florida Power & Light Company, )

14 Defendant. )

) CIVIL ACTION  
) No. 79-5101-  
) CIV-JLK

15 1400 Southeast 2nd Avenue  
16 Miami, Florida

17 Deposition of ROBERT H. FITE, taken  
18 pursuant to Notice dated May 6, 1981, held at the offices  
19 of Steel, Hector & Davis, Esqs., 1400 Southeast First  
20 National Bank Building, Miami, Florida, held on May 28,  
21 1981, commencing at or about 9:20 o'clock a.m., before  
22 MARTIN B. LESHAW, Official Court Reporter and Notary  
23 Public for the State of Florida.

1 or not. I recall it.

2 Q What was it to you?

3 A Florida Operating Committee were repre-  
4 sentatives from various companies that agreed to help each  
5 other out if they had power that was available in cases of  
6 emergency that they didn't need for their own customers.

7 Q Who were the members of the Florida  
8 Operating Committee?

9 A I don't remember.

10 Q Did they do any studies?

11 A I don't know.

12 Q Were you involved in the work of the  
13 Florida Operating Committee?

14 A No.

15 Q Was there a representative or representa-  
16 tives from Florida Power and Light from that committee?

17 A I don't remember, really.

18 Q When did you become a member of the Board  
19 of Directors; do you recall?

20 A Well, it was--I don't know. Maybe the  
21 early Seventies, I guess.

22 Q Were you a member of the Board when you  
23 were the vice-president?

24 A Oh, yes. I was a member of the Board; not  
25 as--I don't recall.

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U. S. DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

-----X

LAKE WORTH UTILITIES AUTHORITY,	:
et al.,	:
	:
Plaintiffs,	:
	:
vs.	: Case No. 79-5101-Civ.-JLK
	:
FLORIDA POWER & LIGHT COMPANY,	:
	:
Defendant.	:
	:

-----X

DEPOSITION OF ROBERT H. FITE (CONTINUED)

Little Switzerland, N. C.  
Friday, 18 September 1981

Deposition of ROBERT H. FITE, called for further examination, pursuant to notice, at the Chalet Lodge, Conference Room, State Highway 226, Blue Ridge Parkway, at 9:00 a.m., before JOEL BREITNER, a Certified Shorthand Reporter, when were present on behalf of the respective parties:

DANIEL GUTTMAN, ESQ., Spiegel & McDiarmid, 2600 Virginia Avenue, N.W., Washington, D. C. 20037; on behalf of the Plaintiffs.

JOANNE B. GROSSMAN, ESQ., Covington & Burling, 1201 Pennsylvania Avenue, N.W., Washington, D. C. 20044; on behalf of the Defendant and Robert H. Fite.

BRTgdv 1 you were uncertain as to the date of the change. Can you  
2 date the change with reference to the time that FP&L  
3 received an inquiry from Gainesville on the subject of an  
4 interconnection?

5 A Yes. As I recall it, I testified that the change  
6 came at a date which had to be prior to the <sup>negotiations</sup> ~~negotiations~~ with *PH*  
7 Gainesville. Because at that time the policy of selling  
8 wholesale, as I recall it, was in effect.

9 Q You testified earlier today, Mr. Fite. I believe,  
10 that you had — you did not attend any meetings of the  
11 Florida Operating Committee; is that correct?

12 A Yes.

13 Q Do you know who did attend meetings of the Florida  
14 Operating Committee on behalf of FP&L?

15 A Yes. I know at least some of them that did.  
16 Maybe all.

17 Certainly Harry Page. Bivans, Street. They are three  
18 that I specifically know would have attended the meetings.

19 Q To the extent, Mr. Fite, that you had knowledge  
20 about the workings of the Florida Operating Committee, from  
21 where did you get that information?

22 A Well, I don't remember of any reports on a regular

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NATIONWIDE COVERAGE

1           A           I would think that the people on the Florida  
2           Operating Committee, when, after it began to operate, would  
3           have known what the other companies were planning at the  
4           time we were planning.

5           Q           Yes, sir. I'm asking you a slightly different  
6           question, which is, do you know who at FP&L at the time you  
7           were at FP&L would have known whether FP&L's generation  
8           planning took into account the generation planning of  
9           Florida Power Corporation and IECD?

10          A           I don't know.

11          Q           Do you think Mr. Page or Mr. Bivans might have  
12          that kind of information?

13                   MR. GUTTMAN: Objection. Leading question.

14                   THE WITNESS: They certainly could have.

15                   BY MS. GROSSMAN:

16          Q           Mr. Fite, there was the implication this morning  
17          in some of the questions that were asked that you, as a FP&L  
18          official, would put things into a letter that were not true  
19          and that could not be relied upon.

20                   Do you feel that that implication is a correct one?

21          A           I feel it is incorrect, positively.

22          Q           Mr. Fite, insofar as you had dealings with

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9

Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, Tr. 52.

1 UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF FLORIDA.

DOCUMENT 9

3 GAINESVILLE REGIONAL UTILITIES, etc.,

4 Plaintiffs, :

5 vs. : 79-5101 CIV-JLK

6 FLORIDA POWER & LIGHT COMPANY, :

7 Defendant. :

8 -----:

9  
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11  
12  
13 DEPOSITION OF ERNEST L. BIVANS, taken  
14 pursuant to Notice, held at the Offices of Florida  
15 Power and Light Company, 9650 W. Flagler Street,  
16 Miami, Florida, on August 25, 1981, commencing at or  
17 about 10:05 o'clock, a.m., before MARTIN B. LESHAW,  
18 Official Court Reporter and Notary Public for the  
19 State of Florida.  
20

21 -----

1 because I'm not sure what the meaning of it is.

2 Q Have you -- which I use to include people  
3 under your supervision -- ever done any study of the power  
4 supply needs of any other electric system in Florida?

5 A No.

6 Q Turning now to the Florida Operating  
7 Committee, do you recall when the Florida Operating  
8 Committee was formed?

9 A I believe it was formed during the 60's.

10 Q Were you personally involved in its  
11 formation?

12 A No.

13 Q Do you have any knowledge of how its  
14 formation -- what took place so that it came to be formed?

15 A Well, I think Mr. Page was largely respon-  
16 sible for the formation, that he and other top officials  
17 of Florida Power & Light, Florida Power Corporation, first  
18 formed to discuss certain operating problems that we were  
19 having.

20 One of the big problems was the problem of  
21 regulation of the ties and the regulation problems that  
22 Florida Power Corporation was having with Georgia, and  
23 there was a need for each one of the utilities to cooperate  
24 and establish the need to install tie line control  
25 equipment, and that led to the formation of the Florida



10

Excerpts from minutes of Florida Operating Committee meetings,  
Jan. 1959 - Dec. 1972, showing people present at each meeting.

Attached are the first pages of minutes of the FOC.

A review of the minutes of Florida Operating Committee meetings from January 1959 to December 1972 shows that Mr. Bivans was present only at the following meetings:

<u>Meeting No.</u>	<u>Date</u>
3	3/19/59
4	7/1/59
6	1/13/60
10	3/22/62
14	9/19-20/63
18	5/21-22/64
19	10/29/64
21	6/23/65
25	2/3/66
27	6/16/66
32	7/24/67
42	1/22/69
51	6/11/70
56	4/15/71
58	8/12/71
59	10/14-15/71
63	6/8/72
64	8/17/72

The attendees at each meeting are reflected on the attached pages.

N 1-59  
January 20, 1959

Mr. J. D. Hicks, Tampa Electric Company, Tampa, Florida  
Mr. Lester Ulm, Jr., Tampa Electric Company, Tampa, Florida  
Mr. W. B. Simonds, Florida Power Corporation, St. Petersburg, Florida  
Mr. A. P. Perez, Florida Power Corporation, St. Petersburg, Florida  
Mr. H. V. Street, Florida Power & Light Company, Miami, Florida

The first meeting of the Committee will be held in the Operations Building of Florida Power Corporation, St. Petersburg, January 23rd, at 10 a.m.

The following agenda has been suggested:

1. Coordination of overhaul schedules and outages for natural gas conversion.
2. Communications - discussion of the desirability and economics of linking the dispatching offices in Miami, St. Petersburg and Tampa with a permanent voice channel.
3. Interchange of reactive between FPC and TEC on east side of TEC's system and the effect on the two systems.
4. Interchange of power between FPL and FPC at Live Oak and Sanford and the effect on the two systems.
5. In connection with problems such as Items 3 and 4 above, it will be desirable to set up simple log sheets for the three companies so that simultaneous check readings can be periodically recorded at the request of the Committee for study and analysis.
6. Name for the Committee.
7. Any other business.

The formation of this Committee will offer many opportunities for the three companies to benefit collectively and individually. Please throw on the table any matter that you believe should be considered.

HWP-5  
H. W. Page  
Chairman

HWP/ess  
Five copies to each addressee

M 2-59  
Feb. 26, 1959

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
February 25, 1959

The second meeting of the Florida Operating Committee was held in the General Offices of Tampa Electric Company, Tampa, Florida, February 25, 1959, 10:30 a.m.

Present: Mr. J. D. Hicks )  
Mr. Lester Ulm, Jr. ) Tampa Electric Company  
Mr. H. A. Moshell, Jr. )  
Mr. J. Burris )

Mr. A. P. Perez )  
Mr. W. B. Simonds ) Florida Power Corporation  
Mr. J. T. Logan )

Mr. H. W. Page ) Florida Power & Light Company  
Mr. K. S. Buchanan )

Following is a brief record of the discussions and results of the meeting:

1. At the request of Mr. Hicks, review of Overhaul Schedules was moved to first place on the agenda.

Due to the late delivery of cylinder for Hookers Point No. 1 Turbine, TEC schedule has been changed as follows:

Hookers Pt. No.1 TG & Nos.1, 2,3,4 Blr.	July 20 - Oct. 17	CHANGE IN
Hookers Pt. No.4 TG & No. 5 Blr.	Mar. 20 - Apr. 17	OVERHAUL
Peter O. Knight No. 16 Blr.	Apr. 18 - May 2	SCHEDULES
Gannon No. 1 TG and Blr.	May 9 - June 11	
Gannon No. 2 TG and Blr.	June 20 - July 17	
Hookers Pt. No. 5 TG & No. 6 Blr.	Oct. 24 - Nov. 4	

Due to late delivery of gas burners for Sarasota, FPL schedule has been changed to move Sarasota No. 1 & 2 to the period June 27 - July 11.

Florida Power Corporation has been delayed on Higgins Boiler No. 2, but will sandwich this outage between those for Avon Boiler No. 3 and Higgins No. 3, with no change other than shortening the allotted time for these last named units.

M 3-59  
April 7, 1959

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
March 19, 1959

The third meeting of the Florida Operating Committee was held in the General Offices of Florida Power and Light Company, Miami, Florida, March 19, 1959 at 10 a.m.

Present: Mr. J. D. Hicks )  
Mr. Lester Uln, Jr. ) Tampa Electric Company  
Mr. J. Burris )  
Mr. J. R. Brice )  
  
Mr. A. P. Perez )  
Mr. W. B. Simonds ) Florida Power Corporation  
Mr. J. T. Logan )  
  
Mr. H. W. Page )  
Mr. H. V. Street )  
Mr. E. L. Bivans ) Florida Power & Light Company  
Mr. D. A. Kelly )  
Mr. E. J. McDougall )  
Mr. A. S. Buchanan )

Following is a brief record of the discussions and results of the meeting:

1. Minutes (M 2-59) of meeting February 25, were accepted without reading. Draft copies prepared by the Chairman had previously been approved by TEC and FPC with minor changes, and regular distribution was made in early March.

MINUTES ACCEPTED

2. Tampa Electric Company and Florida Power Corporation reported that they were on schedule with no revisions required at this time.

OVERHAUL  
SCHEDULES

Florida Power and Light Company reported that Sanford No. 2 start-up date had been changed from April 15 to May 4. It is not felt that this will necessitate revision in overhaul schedule.

3. No system disturbances occurred in the period Feb. 25 - March 19, 1959.

SYSTEM  
DISTURBANCES

The Chairman called attention to the form used for recording details of system disturbances in minutes of February 25. It was agreed that this form would be used to report future disturbances with the particular company being responsible for assembling all pertinent data covering a disturbance originating on its system.

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
July 1, 1959

The fourth meeting of the Florida Operating Committee was held in the Operations Building of Florida Power Corporation, St. Petersburg, Florida, July 1, 1959.

Present: Mr. J. D. Hicks ) Tampa Electric Company  
Mr. Lester Uhn, Jr. )  
Mr. J. R. Brice )  
  
Mr. A. P. Perez ) Florida Power Corporation  
Mr. W. B. Simonds )  
Mr. J. T. Logan )  
Mr. J. C. Huffer )  
  
Mr. H. W. Page ) Florida Power & Light Company  
Mr. E. L. Bivans )

This meeting was arranged on short notice when it became apparent that there was a need for coordinating the work of the Joint Board Study Subcommittee and the reports being made by the Florida Companies to the EEI, through Mr. W. B. Simonds, as Subcoordinator for Region III, EEI Power Survey, re: Senate Resolution 71.

There were, however, other matters on the agenda, and these were taken up first. Following is a brief record of the discussions and results of the meeting:

1. Minutes (M 3-59) of meeting March 19 were accepted. Draft copies prepared by the Chairman had been approved previously by TEC and FPC and regular distribution was made in April. MINUTES ACCEPTED
2. FPC and FPL reported on the status of their respective conversions to the use of natural gas. Considerable quantities of gas are now being burned by the two companies and dirty gas is becoming a problem. NATURAL GAS CONVERSION
3. The overhaul schedules for the three companies were reviewed. No major changes were requested by any company except that TEC will probably require additional time to complete Gannon No. 2, because of blade and bearing difficulties. Delay will involve only FPC and TEC, and these two companies will coordinate. OVERHAUL SCHEDULES

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
November 10, 1959

The fifth meeting of the Florida Operating Committee was held in the General Offices of Tampa Electric Company, Tampa, Florida, November 10, 1959.

Present : Mr. J. D. Hicks ) Tampa Electric Company  
          Mr. J. R. Brice )  
          Mr. R. E. Proctor )  
  
          Mr. W. B. Simonds ) Florida Power Corporation  
          Mr. J. T. Logan )  
  
          Mr. H. W. Page ) Florida Power & Light Company  
          Mr. K. S. Buchanan )

Purpose of the meeting was to consider and approve the program for the joint board study scheduled to be held at Georgia Tech during the week of November 16, 1959.

The following is a brief record of the discussions and results of the meeting:

1. The Chairman reviewed the effort to make a joint board study, remarking that as early as the first meeting of the Operating Committee in January 1959, the matter was brought up and that at the third meeting in March the present Subcommittee was formed. At the fourth meeting in July the Operating Committee discussed in some detail the work being done by Mr. Simonds in connection with Senate Resolution 71, and at this meeting the Subcommittee was given the green light to go ahead and plan the joint board study along the lines which the three companies were reporting to EEI as their expected growth picture. Since its formation, the Joint Board Study Subcommittee, consisting of Mr. Brice - TEC, Chairman; Mr. Logan - FPC, and Mr. Bivans - FPL (later Mr. Buchanan), have met six times and a great deal of work has been done. It is realized that this joint work has required extra effort over and beyond the normal assignments of the various people involved and the Chairman expressed the thanks of the main Committee in commending the Subcommittee for its fine work. Particular credit was given for the review which the Subcommittee made to determine if the short range plans of the three companies conflicted on a long range basis.

JOINT BOARD  
STUDY

Mr. Brice, Chairman of the Subcommittee, presented a plan for the joint board study of the three systems as they may appear about the year 1970 when the combined capability will be an estimated 10 million kw. Four new plant sites are projected, and units up to 500,000 kw size are integrated

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
January 13, 1960

The sixth meeting of the Florida Operating Committee was held in the General Offices of Florida Power and Light Company, Miami, Florida, January 13, 1960.

Present: Mr. H. A. Moshell, Jr. ) Tampa Electric Company  
          Mr. J. E. Burris        ) )  
  
          Mr. A. P. Perez        ) Florida Power Corporation  
          Mr. W. B. Simonds     ) )  
  
          Mr. H. W. Page         ) Florida Power & Light Company  
          Mr. E. J. McDougall   ) )  
          Mr. C. N. Whitmore    ) )  
  
          Part Time  
          Mr. H. V. Street        ) )  
          Mr. J. W. Eack         ) )  
          Mr. W. D. Mahannah    ) )  
          Mr. E. L. Bivans        ) )

The following is a brief record of the discussions and results of the meeting:

1. Minutes (M 4-59) of meeting July 1, 1959, and minutes (M 5-59) of meeting November 10, 1959, were read and approved by FPC and FPL. The Tampa representatives present had not been in attendance at the earlier meetings and hesitated to approve them as read. (Copies were sent to Tampa for Mr. Hicks' approval. Chairman received this by return mail and the minutes of these two meetings were distributed about the middle of January.) MINUTES  
ACCEPTED
2. Mr. Hicks and Mr. Simonds had forwarded to the Chairman prior to the meeting, their tentative overhaul schedules, along with tabulations showing expected monthly peak loads and monthly capabilities. These schedules had been combined with the tentative schedule for FPL, and the Chairman presented the coordinated schedule for discussion at the meeting. There were several important conflicts. Some changes were made in the meeting - others were tentatively agreed upon pending check by Messrs. Burris and Simonds with their associates. (Subsequent letters from Mr. Burris, TEC, and Mr. Simonds, FPC, both dated January 19 removed these conflicts and revised coordinated overhaul schedules were distributed January 23 to the three companies.) OVERHAUL  
SCHEDULES



FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
June 23, 1960

The seventh meeting of the Florida Operating Committee was held in the General Offices of Tampa Electric Company, Tampa, Florida, June 23, 1960.

Present: Mr. J. D. Hicks ) Tampa Electric Company  
Mr. Lester Ulin, Jr. )  
Mr. J. E. Burris )  
Mr. J. R. Brice )  
  
Mr. W. B. Simonds ) Florida Power Corporation  
Mr. J. T. Logan )  
  
Mr. H. V. Street ) Florida Power & Light Company  
Mr. H. W. Page )  
Mr. K. S. Buchanan )

Following is a brief record of the discussions and results of the meeting:

1. Minutes (M 6-60) of meeting January 13, 1960 were read and accepted with one minor change.
2. Mr. Page handed to Mr. Simonds, photostats of two oscillograms recorded at Sanford plant. They were triggered by trouble on FPC lines and showed reclosure time for FPC breakers. FPL now has 30-channel oscillographs installed at Sanford, Ft. Myers and Lauderdale plants, with additional installations scheduled for Cutler and Palatka plants this year, and Riviera plant in 1962. There is also a 6-channel oscillograph at the Miami plant.

MINUTES  
ACCEPTED

OSCILLOGRAPH  
RECORDS

FPL offered to make oscillograms available to FPC and TEC where plots show information of value to them. Both have future plans for oscillograph installations and in the interim are interested in seeing pertinent FPL oscillograms - it was suggested that they contact Mr. W.D. Mahannah of FPL.

DRAFT

H E-6C  
November 22, 1960

*Handwritten:* Held Nov 22, 1960

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
November 9, 1960

The eighth meeting of the Florida Operating Committee was held in the Operating Building of Florida Power Corporation, St. Petersburg, Florida, November 9, 1960.

- Present: Mr. H. A. Moshell, Jr. ) Tampa Electric Company
- Mr. J. E. Burris            )
- Mr. W. B. Simonds        ) Florida Power Corporation
- Mr. R. B. Lee             )
- Mr. M. F. Habb            )
- Mr. J. T. Logan            )
- Mr. H. W. Page            ) Florida Power & Light Company

The following is a brief record of the meeting:

1. Mr. Burris and Mr. Perez had forwarded to the Chairman prior to the meeting, their tentative overhaul schedules, along with tabulations showing expected monthly peak loads and monthly capabilities. These schedules had been combined with the tentative schedule for FPL, and the Chairman presented the coordinated schedule for discussion at the meeting. There were several conflicts and revisions were made to remove them. (Copies of the agreed schedules were distributed to the three companies November 22, 1960, by letter L 5-60.)

OVERHAUL  
SCHEDULES

H. W. Page  
Chairman

Copies: Mr. J. J. Hicks (5)  
          Mr. Lester Wm, Jr.  
          Mr. A.P. Perez (10)  
          Mr. W. B. Simonds

M 9-61  
November 7, 1961

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
November 1, 1961

The ninth meeting of the Florida Operating Committee was held in the General Offices of Tampa Electric Company, Tampa, Florida, November 1, 1961.

Present:	Mr. H. A. Moshell, Jr.)	Tampa Electric Company
	Mr. J. E. Burris )	
	Mr. M. F. Hebb )	Florida Power Corporation
	Mr. R. B. Lee )	
	Mr. J. C. Huffer )	
	Mr. H. W. Page )	Florida Power & Light Co.
	Mr. J. R. Bensen )	

Tentative overhaul schedule for the three companies were discussed and conflicts eliminated. Copy of the coordinated schedule is attached. OVERHAUL SCHEDULES

M 10-62  
April 13, 1962

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
March 22, 1962

A meeting of the Florida Operating Committee was held March 22, 1962 at the Meter Building of Florida Power Corporation at St. Petersburg. Principal reason for the meeting was to discuss and explore power supply plans for the next several years.

Present: J. D. Hicks	)	Tampa Electric Company
Lester Ulm, Jr.	)	
R. D. Welch	)	
R. E. Proctor	)	
J. R. Brice	)	
A. P. Perez	)	Florida Power Corporation
M. F. Hebb, Jr.	)	
W. B. Simonds	)	
J. T. Logan	)	
H. V. Street	)	Florida Power & Light Company
H. W. Page	)	
E. L. Bivans	)	
K. S. Buchanan	)	
H. L. Lowe (Ebasco)	)	
F. L. Poage (Ebasco)	)	

Following is a brief record of the discussions and results of the meeting:

1. The Chairman referred briefly to the 1962 overhaul schedules, revised February 27. No further changes are required at this time. Copies of the combined schedules for the three companies were distributed. Total reserve for unplanned outages ranges from 450 mw to 650 mw. OVERHAUL  
SCHEDULES
2. Brief reference was made to operating problems brought about March 15 by forced outages of various units and one of FPL's main transmission lines. Purchases from Southern Company and Jacksonville were necessary over the peak when the three-company available reserve was used up. SYSTEM  
PROBLEMS  
MARCH 15

<u>On Overhaul</u>		<u>Forced Outage</u>	
FPC	48	Higgins No. 3	48
TEC Gannon No.1	130	Gannon No. 3	175
FPL Ft. Myers No.1	<u>165</u>	Riviera Boiler	<u>25</u>
	343 mw		248 mw

Total unavailable over the peak - 601 mw

M - 11 NOT PUBLISHED  
September 26, 1962

Meeting in Miami to discuss changes  
in overhaul schedules.

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
May 23, 1963

The twelfth meeting of the Florida Operating Committee was held in the General Offices of Tampa Electric Company, Tampa, Florida, May 23, 1963.

Present: Mr. E. S. Geiger )  
Mr. P. R. Gibbons )  
Mr. J. D. Hicks )  
Mr. W. W. Hunsinger ) Tampa Electric Company  
Mr. H. A. Hoshell, Jr. )  
Mr. H. A. Turner )  
Mr. L. Ulm, Jr. )  
Mr. R. D. Welch )  
  
Mr. H. F. Hebb, Jr. )  
Mr. J. C. Huffer ) Florida Power Corporation  
Mr. W. B. Simonds )  
  
Mr. H. W. Page ) Florida Power & Light Co.  
Mr. H. V. Street )

The following is a brief record of the meeting:

1. Each company reported on construction status of new plants, substations and transmission lines. The summary report is included as Attachment 1 to these minutes.
2. The 230 kv tie between the Indian River plant of Orlando Utilities Commission and the Brevard substation of Florida Power & Light Company will be placed in operation about July 15, 1963. Board studies indicate that there will be some inadvertent power flow, and it is proposed that the method of accounting now used by the Tampa Electric Company, Florida Power Corporation and Florida Power & Light Company be extended to include Orlando Utilities Commission. Florida Power & Light Company's load control will include this new tie from the date of operation, but it will be necessary for Orlando to manually control for some initial period of operation. The transformer at Indian River is not equipped for changing taps under load, but reactive flow and voltage regulation are not expected to be problems. Florida Power Corporation will be concerned with the loading of the lines south of Turner plant.

STATUS  
OF NEW  
CONSTRUCT

CLOSURE ( )  
230 KV T  
BETWEEN  
FPL AND ( )

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
July 18, 1963

The thirteenth meeting of the Florida Operating Committee was held in the Meter Building of Florida Power Corporation, St. Petersburg, Florida, July 18, 1963.

Present: Mr. C. H. Bennett )  
Mr. J. R. Brice )  
Mr. W. W. Hunsinger ) Tampa Electric Company  
Mr. H. A. Turner )  
Mr. L. Ulm, Jr. )  
  
Mr. M. F. Hebb, Jr. )  
Mr. J. C. Huffer )  
Mr. R. B. Lee ) Florida Power Corporation  
Mr. A. P. Perez )  
Mr. W. B. Simonds )  
Mr. J. K. Wiley )  
  
Mr. H. W. Page )  
Mr. H. V. Street ) Florida Power & Light Co.  
Mr. C. N. Whitmire )

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting.
2. Each company reported on construction status of new plants, substations and transmission lines. The summary report is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. Overhaul Schedule was revised to include several changes involving TEC and FPL. A copy of the revised schedule is included as Attachment 4 of these minutes. OVERHAUL SCHEDULES
4. At the request of Mr. Ulm, Mr. Brice reported the conclusions and recommendations of the study group in the matter of a Joint Stability Study. Mr. Brice's report is included as Attachment 2 of these minutes. JOINT STABILITY STUDY

It was decided to proceed with the recommended initial study and Mr. Ulm will so instruct the study group. It is expected that work will begin about the middle of September.

5. Mr. Simonds reported on the proposed teletype network which would link the dispatching offices of TEC, FPC, FPL, OUC and possibly Jacksonville. His report, including estimated cost is included in these minutes as Attachment 3. COMMUNICATIONS

FLORIDA OPERATING COMMITTEE

The fourteenth meeting of the Florida Operating Committee was held at Orange Springs, Florida, September 19-20 1963.

Present: Mr. C. H. Bennett )  
Mr. J. R. Brice )  
Mr. J. D. Hicks ) Tampa Electric Company  
Mr. H. A. Moshell )  
Mr. H. A. Turner )  
Mr. Lester Ulm, Jr. )  
  
Mr. M. F. Hebb, Jr. )  
Mr. J. C. Huffer ) Florida Power Corporation  
Mr. K. Wiley )  
  
Mr. E. L. Bivans )  
Mr. E. J. McDougall )  
Mr. H. W. Page ) Florida Power & Light Company  
Mr. H. M. Paul )  
Mr. J. G. Raine )

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting.
2. Each company reported on construction status of new plants, substations and transmission lines. The summary report is included as Attachment 1 of these minutes.
3. Overhaul Schedules of July 18, 1963 were revised to include several changes involving TEC and FPC.

STATUS  
OF NEW  
CONSTRUCTION

OVERHAUL  
SCHEDULES

Commercial operation of Gannon 4 has been delayed by fan difficulties. This in turn has delayed scheduled maintenance on other Gannon units. It is expected that Gannon 4 will operate commercially about October 7 and the maintenance of Gannon units will be accomplished as soon as possible thereafter. TEC will keep in touch with other companies.

FPC will take Bartow 3 out for a week beginning October 14.

TEC is now projecting overhaul schedules on 5-year basis while FPC is projecting 2 years. It was agreed that the three companies should plan overhauls two years ahead and a meeting to coordinate schedules for 1964 and 1965 was set up for October 23 at Tampa.



FLORIDA OPERATING COMMITTEE

The fifteenth meeting of the Florida Operating Committee was held in the General Offices of the Tampa Electric Company at 9:00 a.m. on December 3, 1963.

Present: Mr. J. D. Hicks )  
Mr. Lester Ulm, Jr. )  
Mr. J. R. Brice ) Tampa Electric Company  
Mr. H. A. Moshell, Jr.)  
Mr. H. A. Turner )  
Mr. R. D. Welch )  
  
Mr. W. B. Simonds )  
Mr. J. C. Huffer ) Florida Power Corporation  
Mr. J. K. Wiley )  
  
Mr. H. W. Page ) Florida Power & Light Company  
Mr. H. V. Street )

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (September 19-20, 1963).
2. Each company reported on construction status of new plants, substations and transmission lines. The summary report is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. FPC has rescheduled Turner No. 4 for the period November 18-December 16, 1963. OVERHAUL SCHEDULES FOR 1963  

FPL has terminated its 1963 overhaul schedule because of seasonal increase in load. Port Everglades No. 1 has been rescheduled to the Spring of 1964. Palatka No. 2 (90 mw), forced outage by generator failure, will be out of service until about February 10, 1964, undergoing generator rewind and other necessary maintenance.

TEC will have Gannon No. 2 (135mw) out of service until February 24, 1964 for generator rewind and other necessary maintenance. Hookers Point No. 3 has been rescheduled for April 1964.
4. Overhaul Schedules for 1964 and 1965 were agreed upon at the meeting at Tampa, November 6, 1963 but it has been necessary to make several revisions. OVERHAUL SCHEDULES FOR 1964 & 1965

FLORIDA OPERATING COMMITTEE

The sixteenth meeting of the Florida Operating Committee was held in the Line Department Building of Florida Power Corporation at 10:00 a.m. on January 16, 1964.

Present:	Mr. J. D. Hicks	)	
	Mr. Lester Ulm, Jr.	)	Tampa Electric Company
	Mr. H. A. Moshell, Jr.	)	
	Mr. H. A. Turner	)	
	Mr. A. P. Perez	)	
	Mr. W. B. Simonds	)	Florida Power Corporation
	Mr. M. F. Hebb, Jr.	)	
	Mr. J. C. Huffer	)	
	Mr. H. W. Page	)	
	Mr. H. V. Street	)	Florida Power & Light Company
	Mr. K. S. Buchanan	)	

Mr. H. C. Luff and Mr. Irving Reedy of Orlando Utilities Commission attended the meeting at the invitation of the Chairman.

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (December 3, 1963).
2. Each company reported on construction status of new plants, substations and transmission lines. The summary report is included as Attachment 1 of these minutes.
3. Several changes were made in the Overhaul Schedules for 1964 (Revised December 3, 1963).

STATUS  
OF NEW  
CONSTRUCTION

OVERHAUL  
SCHEDULES  
FOR 1964

Bartow Blr. No. 2 and Suwannee Blr. No. 3 were interchanged. Higgins Blr. No. 1 was rescheduled to September 19-October 3, 1964. Outage of Turner Blr. No. 3 may be delayed if Indian River No. 2 does not start on schedule. Cutler No. 4 and Cutler No. 5 were interchanged. The one month delay in operation of Port Everglades No. 3 may require some rescheduling during April, depending on later review of load estimates. The City of Jacksonville will require assistance from FPL during June 2 - October 1, 1964 period from 8 a.m. to 10 p.m. daily and this may also affect schedules.

Indian River No. 1 will be scheduled during September 7 - October 19 period in order to avoid conflict with the overhauls of Turner Blr. No. 3 and Riviera No. 4.

FLORIDA OPERATING COMMITTEE

The seventeenth meeting of the Florida Operating Committee was held in the General Offices of Tampa Electric Company at 10:00 a.m. on March 19, 1964.

Present: Mr. Lester Ulm, Jr. )  
Mr. J. R. Brice ) Tampa Electric Company  
Mr. H. A. Moshell, Jr. )  
Mr. H. A. Turner )  
Mr. R. D. Welch )  
  
Mr. J. C. Huffer ) Florida Power Corporation  
Mr. J. K. Wiley )  
  
Mr. E. J. McDougall ) Florida Power & Light Company  
Mr. K. S. Buchanan )

Mr. H. C. Luff and Mr. Irving Reedy of Orlando Utilities Commission attended the meeting at the invitation of the Chairman.

The following is a brief record of the meeting:

1. Mr. Ulm acted as Chairman in the absence of Mr. Page. There were no corrections to the minutes of the previous meeting (January 16, 1964).
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. Several changes were made in the Overhaul Schedules for 1964. OVERHAUL SCHEDULES FOR 1964  
Suwannee Blr. No. 3 will continue through March 13. Suwannee Unit No. 1 was rescheduled to April 20 - May 4. Miami No. 8 was delayed, date to be decided. Palatka No. 1, having been rescheduled, has been completed. Port Everglades No. 1 was rescheduled to March 23 - April 3. Sanford No. 3 was rescheduled to April 6 - 10. Riviera No. 3 and Lauderdale No. 5 were interchanged. P. O. Knight Unit No. 8 will continue until March 30. Maintenance on Gannon Blr. No. 4 was scheduled for March 30 - April 13. Gannon Unit No. 4, Blr. No. 4 overhaul is still scheduled for July 20 - August 31. Gannon Blr. No. 1 and Gannon Blr. No. 3 were rescheduled to May 11 - June 15.
4. Mr. Brice reported on the status of stability study. His report is included as Attachment No. 2 of these minutes. The Study Group will meet April 2 in Tampa. JOINT STABILITY STUDY

FLORIDA OPERATING COMMITTEE

The eighteenth meeting of the Florida Operating Committee was held at Orange Springs, Florida, May 21 - 22, 1964.

- Present: Mr. J. D. Hicks )
- Mr. J. R. Brice )
- Mr. H. A. Moshell, Jr. ) Tampa Electric Company
- Mr. H. A. Turner )
- Mr. R. D. Welch )
  
- Mr. M. F. Hebb, Jr. )
- Mr. J. C. Huffer ) Florida Power Corporation
- Mr. George Marks )
  
- Mr. H. W. Page )
- Mr. E. L. Bivans )
- Mr. K. S. Buchanan ) Florida Power & Light Company
- Mr. E. J. McDougall )
- Mr. J. G. Raine )

Attending at the invitation of the Chairman were: Mr. H. C. Luff and Mr. Irving Reedy of Orlando Utilities Commission; Mr. T. W. Bostwick, Mr. R. L. Gittings and Mr. R. L. McCall of City of Jacksonville.

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (March 19, 1964).
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. Several changes were made by FPL and TEC in the Overhaul Schedules for 1964. (Note: Copy of these new schedules was to have been included as Attachment 2 of these minutes. Because of additional required changes, the revised schedules will be distributed later.)
4. Mr. Brice reported for the Study Group, the conclusions and recommendations on the Joint Stability Study 1964-1965. Report is included as Attachment 3 of these minutes. JOINT STABILITY STUDY

The Group was directed to proceed with a stability study of 1966-1967, when there will be several additional 240 kv lines in service, including the 240 kv tie between Florida Power Corporation and Georgia Power Company. Study is also to be made of 1965, with the 240 kv transmission from Suwannee to Silver Springs.

The nineteenth meeting of the Florida Operating Committee was held in St. Petersburg in the Line Department Building of Florida Power Corporation at 9:00 a.m. on October 29, 1964.

Present:	Mr. Lester Ulm, Jr.	)	
	Mr. J. R. Brice	)	
	Mr. H. A. Moshell, Jr.	)	Tampa Electric Company
	Mr. H. A. Turner	)	
	Mr. R. D. Welch	)	
	Mr. R. E. Raymond	)	
	Mr. W. B. Simonds	)	
	Mr. M. F. Hebb, Jr.	)	
	Mr. P. C. Henry	)	
	Mr. J. C. Huffer	)	Florida Power Corporation
	Mr. D. E. Knauss	)	
	Mr. G. E. Marks	)	
	Mr. R. J. McCoy	)	
	Mr. L. H. Scott	)	
	Mr. W. E. Scott	)	
	Mr. J. K. Wiley	)	
	Mr. H. W. Page	)	
	Mr. E. L. Sivans	)	Florida Power & Light Company
	Mr. K. S. Buchanan	)	
	Mr. J. G. Raine	)	

Attending at the invitation of the Chairman were: Mr. H. C. Luff and Mr. Irving Reedy of Orlando Utilities Commission; Mr. T. W. Bostwick and Mr. R. L. McCall of City of Jacksonville.

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (May 21-22, 1964).
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment I of these minutes. STATUS OF NEW CONSTRUCTION
3. Overhaul schedules for remainder of 1964 were reviewed and there are no conflicts. Revised Overhaul Schedules for 1965 will be coordinated at a forthcoming meeting in Miami. OVERHAUL SCHEDULES

FLORIDA OPERATING COMMITTEE

The twentieth meeting of the Florida Operating Committee was held in St. Petersburg in the Line Department Building of Florida Power Corporation at 10:00 a.m. on March 19, 1965.

Present:	Mr. Lester Ulm, Jr.	)	
	Mr. H. A. Moshell, Jr.	)	Tampa Electric Company
	Mr. H. A. Turner	)	
	Mr. W. B. Simonds	)	
	Mr. M. F. Hebb, Jr.	)	
	Mr. J. C. Huffer	)	Florida Power Corporation
	Mr. R. J. McCoy	)	
	Mr. J. K. Wiley	)	
	Mr. H. W. Page	)	
	Mr. H. V. Street	)	Florida Power & Light Co.
	Mr. K. S. Buchanan	)	
	Mr. C. N. Whitmire	)	

Attending at the invitation of the Chairman were: Mr. Irving Reedy of Orlando Utilities Commission; Mr. T. W. Bostwick, Mr. R. L. McCall and Mr. R. L. Gittings of City of Jacksonville.

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (October 29, 1964).
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. Several changes were made in the overhaul schedules for 1965: OVERHAUL SCHEDULES

TEC will exchange dates on Hookers Point 3 and Hookers Point 5, and will consider exchanging dates on Gannon 1 and Gannon 4.

FPC will start overhaul of Bartow 3 a week early and will require four weeks for completion.

FPL will exchange dates on Cutler 6 and Lauderdale 4. Also, FPL proposes to delay start on Lauderdale 5 to August 9 with four weeks for completion. Palatka 2 been delayed from March 1 to October 11.

FLORIDA OPERATING COMMITTEE

The twenty-first meeting of the Florida Operating Committee was held in Miami in the General Office Building of Florida Power & Light Company at 9:00 a.m. on June 23, 1965.

Present: Mr. H. A. Moshell, Jr.	)	
Mr. H. A. Turner	)	Tampa Electric Company
Mr. R. D. Welch	)	
Mr. R. E. Raymond	)	
Mr. W. B. Simonds	)	
Mr. M. F. Hebb, Jr.	)	Florida Power Corporation
Mr. J. C. Huffer	)	
Mr. G. W. Marshall	)	
Mr. Loftin Johnson	)	
Mr. J. W. Keck	)	
Mr. H. W. Page	)	
Mr. H. V. Street	)	Florida Power & Light Company
Mr. J. R. Bensen	)	
Mr. E. L. Bivans	)	
Mr. K. S. Buchanan	)	
Mr. C. N. Whitmire	)	

Attending at the invitation of the Chairman were: Mr. Irving Reedy of Orlando Utilities Commission; Mr. T. W. Bostwick, Mr. R. L. McCall and Mr. R. L. Gittings of City of Jacksonville.

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (March 19, 1965).
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1 of these minutes.
3. Several changes were made in the overhaul schedules for 1965. It was agreed that, in the future, coordinated overhaul schedules will not include units smaller than 75 mw, except in special cases, and except for OUC and JAX, who may wish to continue reporting such units.

STATUS OF  
CONSTRUCTION

OVERHAUL  
SCHEDULES

FLORIDA OPERATING COMMITTEE

The twenty-second meeting of the Florida Operating Committee was held in Tampa in the General Offices of Tampa Electric Company at 10 a.m. on August 5, 1965.

Present:	Mr. Lester Ulm, Jr.	)	
	Mr. C. H. Bennett	)	
	Mr. J. E. Burris	)	Tampa Electric Company
	Mr. H. A. Koshell, Jr.	)	
	Mr. H. A. Turner	)	
	Mr. R. D. Welch	)	
	Mr. M. F. Hebb, Jr.	)	
	Mr. J. C. Huffer	)	
	Mr. D. E. Knauss	)	Florida Power Corporation
	Mr. G. V. Marshall	)	
	Mr. J. K. Wiley	)	
	Mr. H. W. Page	)	
	Mr. H. V. Street	)	Florida Power & Light Company
	Mr. K. S. Buchanan	)	

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting June 23, 1965.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. Several changes were made in the overhaul schedules for 1965. OVERHAUL SCHEDULES
4. The spinning reserve for June 1965 was reported on by Mr. Buchanan. The amounts of spinning reserve that the five systems carried over morning and evening peaks in June 1965 are given in Attachment 2. The total spinning reserve was greater than the capability of the largest unit over all peaks. SPINNING RESERVE
5. The present spinning reserve formula was discussed. There are some who feel that revisions are needed and this matter will be discussed further at the next meeting. SPINNING RESERVE FORMULA
6. The next meeting will be held at Orange Springs, September 23-24, 1965. NEXT MEETING

*H. W. Page*  
H. W. Page  
Chairman

HWP/ess  
Attachments (2)



FLORIDA OPERATING COMMITTEE

The twenty-fourth meeting of the Florida Operating Committee was held in St. Petersburg in the Line Department Building of Florida Power Corporation at 9:30 a.m. on December 9, 1965.

Present:	Mr. Lester Ulm, Jr.	)	
	Mr. C. H. Bennett	)	
	Mr. J. E. Burris	)	Tampa Electric Company
	Mr. H. A. Moshell, Jr.	)	
	Mr. R. D. Welch	)	
	Mr. A. P. Perez	)	
	Mr. R. E. Raymond	)	
	Mr. M. F. Hebb	)	Florida Power Corporation
	Mr. W. B. Simonds	)	
	Mr. J. C. Huffer	)	
	Mr. G. E. Marks	)	
	Mr. B. J. Marshall	)	
	Mr. W. E. Scott	)	
	Mr. J. K. Wiley	)	
	Mr. H. W. Page	)	
	Mr. H. V. Street	)	Florida Power & Light Company
	Mr. K. S. Buchanan	)	
	Mr. H. C. Luff	)	Orlando Utilities Commission
	Mr. Irving Reedy	)	
	Mr. T. W. Bostwick	)	
	Mr. R. L. McCall	)	The City of Jacksonville
	Mr. R. L. Gittings	)	

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (September 23, 1965).
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. The amounts of spinning reserve that each of the five systems carried over morning and evening peaks in September and October 1965 are given in Attachment 2. The total spinning reserve was greater than the capability of the largest unit over all peaks except seven, with the deficiencies over these seven peaks being only 13 mw to 78 mw for an average of 41 mw. SPINNING RESERVE

FLORIDA OPERATING COMMITTEE

The twenty-fifth meeting of the Florida Operating Committee was held in Tampa in the General Offices of Tampa Electric Company at 9:30 a.m. on February 3, 1966.

- |          |                        |   |                               |
|----------|------------------------|---|-------------------------------|
| Present: | Mr. C. H. Bennett      | ) |                               |
|          | Mr. J. R. Brice        | ) |                               |
|          | Mr. J. E. Burris       | ) | Tampa Electric Company        |
|          | Mr. H. A. Moshell, Jr. | ) |                               |
|          | Mr. R. D. Welch        | ) |                               |
|          | Mr. R. E. Raymond      | ) |                               |
|          | Mr. W. B. Simonds      | ) |                               |
|          | Mr. M. F. Hebb, Jr.    | ) | Florida Power Corporation     |
|          | Mr. J. C. Huffer       | ) |                               |
|          | Mr. D. E. Knauss       | ) |                               |
|          | Mr. B. J. Marshall     | ) |                               |
|          | Mr. H. W. Page         | ) |                               |
|          | Mr. E. L. Bivans       | ) | Florida Power & Light Company |
|          | Mr. K. S. Buchanan     | ) |                               |
|          | Mr. C. N. Whitmire     | ) |                               |
|          | Mr. H. C. Luff         | ) | Orlando Utilities Commission  |
|          | Mr. Irving Reedy       | ) |                               |
|          | Mr. T. W. Bostwick     | ) | City of Jacksonville          |
|          | Mr. R. L. Gittings     | ) |                               |

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (December 9, 1965).
  2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1 of these minutes. STATUS OF NEW CONSTRUCTION
  3. Peak load forecasts, actual peak loads, and load forecasting errors for December 1965 morning and evening peaks are given in Table 1 of Attachment 2. LOAD FORECASTING AND SPINNING RESERVE
- The amounts of spinning reserve that each of the five systems carried during morning and evening peaks in November and December, 1965 are given in Table 2 of Attachment 2. The total spinning reserve was greater than the capability of the largest unit in service over all peaks except three. The minimum total spinning reserve was 417 mw.
4. Mr. Whitmire reported for the Relay Subcommittee. His report is included as Attachment 3. RELAY SUBCOMMITTEE

FLORIDA OPERATING COMMITTEE

The twenty-sixth meeting of the Florida Operating Committee was held in Orange Springs, Florida on April 14, 1966.

Present: Mr. C. H. Bennett )  
Mr. J. E. Burris ) Tampa Electric Company  
Mr. R. D. Welch )  
Mr. W. W. Hunsinger)

Mr. J. W. Wiley Florida Power Corporation

Mr. H. W. Page )  
Mr. E. J. McDougall ) Florida Power & Light Company  
Mr. W. E. Coe )  
Mr. W. D. Lang )

Mr. Irving Reedy Orlando Utilities Commission

Mr. T. W. Bostwick ) The City of Jacksonville  
Mr. R. L. Gittings )

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (February 3, 1966).
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment No. 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. The formulae for calculating forecasting error, and spinning reserve were reviewed. It was agreed that Sundays would be included in future reports, and that revisions to original load forecasts should be shown. There was some discussion of the advantages of plotting vs. tabulation of this data. Load forecasting error and spinning reserve data for the months of January, February and March 1966 are attached in plotted form as Attachment No. 2. This form of presentation will be continued if it meets general approval. SPINNING RESE
4. The 1966 Overhaul Schedules were reviewed. A number of changes were agreed upon. OVERHAUL SCHEDULE
5. Mr. Wiley reported on the status of Joint Stability Study Group. This is included as Attachment No. 3. JOINT STABILITY STUDY

FLORIDA OPERATING COMMITTEE

The twenty-seventh meeting of the Florida Operating Committee was held in Orlando, Florida on June 16, 1966.

Present: Mr. C. H. Bennett )  
Mr. J. E. Burris ) Tampa Electric Company  
Mr. R. D. Welch )  
Mr. H. A. Moshell, Jr.)  
  
Mr. J. C. Huffer )  
Mr. J. K. Wiley ) Florida Power Corporation  
Mr. W. B. Simonds )  
  
Mr. H. W. Page )  
Mr. E. L. Bivans ) Florida Power & Light Company  
Mr. C. N. Whitmire )  
  
Mr. Irving Reedy ) Orlando Utilities Commission  
Mr. D. Moore )  
  
Mr. T. W. Bostwick ) The City of Jacksonville  
Mr. R. L. McCall )  
Mr. E. C. Nalte )

The following is a brief record of the meeting:

1. There were no corrections to the minutes of the previous meeting (April 14, 1966).
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment No. 1 of these minutes. STATUS OF NEW CONSTRUCTION
3. Load forecasting error and spinning reserve data for the months of April and May were presented in plotted form and discussed at some length. This data is included as Attachment No. 2. SPINNING RESERVE
4. The status of 1966 overhaul schedules was reviewed. Florida Power Corp., Orlando and Jacksonville have completed their schedules except for units scheduled in the fall. Florida Power & Light Co. will have Cape Kennedy No. 1 out of service until about July 11; and unless the weather is unseasonably mild, plans to schedule no further outages until fall; and Port Everglades 1 & 2, and Lauderdale 5 will be carried over to the fall. Tampa Electric Company will have Gannon 1 out until June 26, and will then have Gannon 4 out until July 25, followed by Hookers' Point 5 until August 20. Gannon 3 and 5 remain as originally scheduled December 15, 1965. OVERHAUL SCHEDULES

PO

FLORIDA OPERATING COMMITTEE

The twenty-eighth meeting of the Florida Operating Committee was held in Jacksonville, Florida on August 31, 1966.

- |          |                        |   |                               |
|----------|------------------------|---|-------------------------------|
| Present: | Mr. C. H. Bennett      | ) |                               |
|          | Mr. J. E. Burris       | ) | Tampa Electric Company        |
|          | Mr. H. A. Moshell, Jr. | ) |                               |
|          | Mr. R. D. Welch        | ) |                               |
|          | Mr. J. C. Huffer       | ) |                               |
|          | Mr. B. J. Marshall     | ) | Florida Power Corporation     |
|          | Mr. W. E. Scott        | ) |                               |
|          | Mr. H. W. Page         | ) | Florida Power & Light Company |
|          | Mr. H. V. Street       | ) |                               |
|          | Mr. H. C. Luff         | ) | Orlando Utilities Commission  |
|          | Mr. Irving Reedy       | ) |                               |
|          | Mr. T. W. Bostwick     | ) |                               |
|          | Mr. F. Bristow         | ) |                               |
|          | Mr. R. L. Gittings     | ) | The City of Jacksonville      |
|          | Mr. R. L. McCall       | ) |                               |
|          | Mr. H. Millan          | ) |                               |
|          | Mr. E. C. Nalle        | ) |                               |
|          | Mr. R. L. Thompson     | ) |                               |

The following is a record of the meeting:

1. There were no corrections to the minutes of the previous meeting, June 16, 1966.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1 of these minutes. The second sheet of this attachment shows transmission additions and changes planned by Tampa Electric Company. STATUS OF NEW CONSTRUCTION
3. Proposed 1967 overhaul schedules for the five systems were revised. Several conflicts were resolved and schedules agreed upon. Printed schedules will be distributed by letter and are not included in these minutes. FPL expects to take Port Everglades 3 out for four weeks beginning October 17, 1966, to be followed by Riviera 3 and Riviera 4, two-weeks each. OVERHAUL SCHEDULES
4. Mr. Scott reported for Mr. Wiley on the status of the Transient Stability Study. Report is included as Attachment 2. The requested approval to proceed will be obtained from each system by its representative. TRANSIENT STABILITY STUDY

FLORIDA OPERATING COMMITTEE

The twenty-ninth meeting of the Florida Operating Committee was held in St. Petersburg, Florida on November 10, 1966.

- |         |                         |   |                               |
|---------|-------------------------|---|-------------------------------|
| Present | Mr. C. H. Bennett       | ) |                               |
|         | Mr. J. E. Burris        | ) | Tampa Electric Company        |
|         | Mr. H. A. Moshell, Jr.  | ) |                               |
|         | Mr. R. D. Welch         | ) |                               |
|         | Mr. J. H. Blanchard     | ) |                               |
|         | Mr. M. F. Habb, Jr.     | ) |                               |
|         | Mr. J. C. Huffer        | ) |                               |
|         | Mr. F. M. King          | ) | Florida Power Corporation     |
|         | Mr. D. E. Knauss        | ) |                               |
|         | Mr. B. J. Marshall, Jr. | ) |                               |
|         | Mr. W. B. Simonds       | ) |                               |
|         | Mr. J. K. Wiley         | ) |                               |
|         | Mr. H. W. Page          | ) | Florida Power & Light Company |
|         | Mr. C. N. Whitmire      | ) |                               |
|         | Mr. H. C. Luff          | ) | Orlando Utilities Commission  |
|         | Mr. Irving Reedy        | ) |                               |
|         | Mr. R. L. Gittings      | ) | The City of Jacksonville      |
|         | Mr. R. L. Thompson      | ) |                               |

M 29

The following is a record of the meeting:

1. There were no corrections to the minutes of the previous meeting Augus. 31, 1966.
  2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1. STATUS OF NEW CONSTRUCTION
  3. Load forecasting errors and spinning reserve margins for August and September were reviewed. (Attachment 2). There were numerous days when combined forecasts were low, but only five or six days each month when combined spinning reserve was less than the agreed minimum. The twelve month record will be examined for a possible conclusion as to the proper margin of error to allow. FORECASTING ERRORS & SPINNING RESERVE
  4. Overhaul schedules for the remainder of 1966 were reviewed and several minor revisions were noted. OVERHAUL SCHEDULES
- There was considerable discussion of maintenance problems with particular emphasis on manhours required for large units, manpower problems, and the use of maintenance contractors. It was agreed that general overhaul schedules

FLORIDA OPERATING COMMITTEE

The thirtieth meeting of the Florida Operating Committee was held in Tampa, Florida January 25 and 26, 1967.

Present Mr. C. H. Bennett	)	
Mr. J. E. Burris (26th)	)	Tampa Electric Company
Mr. H. A. Moshell, Jr.	)	
Mr. Lester Ulm, Jr. (26th)	)	
Mr. J. H. Blanchard	)	
Mr. M. F. Hebb, Jr. (26th)	)	Florida Power Corporation
Mr. J. C. Huffer	)	
Mr. B. J. Marshall, Jr. (25th)	)	
Mr. W. B. Simonds (26th)	)	
Mr. J. K. Wiley (26th)	)	
Mr. H. W. Page	)	Florida Power & Light Company
Mr. C. N. Whitmire	)	
Mr. H. V. Street (26th)	)	
Mr. Irving Reedy	)	Orlando Utilities Commission
Mr. Louis Stone	)	
Mr. R. L. Gittings	)	The City of Jacksonville
Mr. R. L. McCall	)	
Mr. E. C. Nalle	)	

The following is a record of the meeting:

1. There were no corrections to the record of the previous meeting November 10, 1966.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1. STATUS OF  
NEW  
CONSTRUCTION
3. The 1966 record of load forecast errors and spinning reserve margins for the individual and combined systems was discussed at some length. (See Attachment 2). Individual system forecasting errors varied widely from about 7% - 10% high, to 7% - 10% low. There was, of course, some diversity, but combined forecasts appear to be subject to error in the deficit direction of about 700 mw or possibly 3%. The error in the surplus direction was somewhat higher, but is of course, on the safe side. Notwithstanding the forecast errors, the amount of spinning reserve available on the peaks was generally above the minimum. This situation resulted because on most occasions the individual systems actually carried more than their assigned share of spinning reserve, and the forecasting error in the deficit direction was cancelled. FORECASTING  
ERRORS AND  
SPINNING  
RESERVE

FLORIDA OPERATING COMMITTEE

The thirty-first meeting of the Florida Operating Committee was held in Orange Springs, Florida, March 16, 1967.

Present: Mr. R. D. Welch )  
          Mr. W. W. Hunsinger ) Tampa Electric Company  
          Mr. C. H. Bennett )  
          Mr. J. R. Brice )  
  
          Mr. Jim Blanchard )  
          Mr. J. C. Huffer ) Florida Power Corporation  
          Mr. D. E. Knauss )  
          Mr. J. K. Wiley )  
          Mr. G. E. Marks )  
  
          Mr. C. N. Whitmire )  
          Mr. K. S. Buchanan ) Florida Power & Light Company  
          Mr. W. E. Coe )  
          Mr. C. L. Ballard )  
          Mr. H. W. Page )  
  
Mr. Irving Reedy ) Orlando Utilities Commission  
  
Mr. Rupert Thompson ) City of Jacksonville  
Mr. Louis Gittings )

The following is a record of the meeting:

1. There were no corrections to the record of the previous meeting of January 25 and 26, 1967.

2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1.

STATUS OF  
NEW  
CONSTRUCTION

The TEC plans for transmission changes in the Pebbledale Substation area were discussed by Mr. Welch. These are included as part of Attachment 1.

3. The combined overhaul schedules for the years 1968 - 1972, distributed by letter dated March 13, 1967, were briefly discussed. The formula for spinning reserve should be reviewed before the 700-800 mw units are placed in service. The need for common terminology for capabilities and peaks was recognized.

OVERHAUL  
SCHEDULES

4. Load forecast errors and spinning reserves for January, February 1967 were reviewed. The record is included as Attachment 2. It was agreed that in the future the plot of spinning reserves should include Sundays.

FORECASTING  
ERRORS AND  
SPINNING  
RESERVE



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FLORIDA OPERATING COMMITTEE

The thirty-second meeting of the Florida Operating Committee was held at the Crystal River Plant of Florida Power Corporation, July 24, 1967. Present were:

Tampa Electric Company -

C. H. Bennett  
J. R. Brice#  
J. E. Burris  
T. W. Farrow  
H. A. Moshell  
T. W. Patrick\*  
R. D. Welch

Florida Power Corporation -

M. F. Habb  
J. C. Huffer  
G. E. Marks  
G. W. Marshall  
R. N. Roark\*  
W. B. Simons  
J. K. Wiley#

Florida Power & Light Company -

E. L. Bivans  
K. S. Buchanan#  
H. W. Page  
H. M. Paul\*

Orlando Utilities Commission -

Harry Luff  
Irving Reedy\*\*

City of Jacksonville -

Louis Gittings  
H. E. Millan\*  
E. C. Nalle#  
Rupert Thompson

# Study Group Representative  
\* Relay Subcommittee Representative

The following is a record of the meeting:

1. There were no corrections to the record of the previous meeting of March 16, 1967.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1.
3. Load forecast errors and spinning reserves for March, April, May, and June were reviewed and discussed. The record is enclosed as Attachment 2.
4. Maintenance requirements for the remainder of 1967 were discussed. Previously planned outages for this period include Riviera 3 and 4, Port Everglades 3, Crystal River 1, Gannon 5, Northside 1, and Indian River 1. The timing for Crystal River 1 and Gannon 5 depends on the operating dates for Gannon 6. FPL has deferred maintenance on Turkey Point 1, Palatka 2, Cutler 6, Lauderdale 5 and must also convert Cape Kennedy 1, Port Everglades 1, 2, 3, 4 and Turkey Point 1 and 2 to gas. Each organization will take advantage of breaks in summer weather to complete as much work as possible prior to the beginning of fall weather. Schedules for the fall and winter period will be firmed up when operating dates for Gannon 6 and Turkey Point 2 are known.

STATUS OF  
NEW  
CONSTRUCTION

FORECASTING  
ERRORS AND  
SPINNING  
RESERVES

OVERHAUL  
SCHEDULES

FLORIDA OPERATING COMMITTEE

The thirty-third meeting of the Florida Operating Committee was held at the Northside Plant of the City of Jacksonville, September 14, 1967. Present were:

Tampa Electric Company  
C. H. Bennett  
J. E. Burris  
T. W. Patrick  
R. D. Welch

Florida Power Corporation  
M. F. Hebb  
H. R. Marble  
W. B. Simonds  
J. K. Wiley

Florida Power & Light Company  
H. W. Page  
C. N. Whitmire

Orlando Utilities Commission  
Irving Ready

City of Jacksonville  
Wilbur Altman  
Louis Gittings  
J. Lucas  
H. E. Millan  
E. C. Nalle  
H. K. Sammons  
R. L. Thompson

*Hicks Allen  
Perry Simonds  
Stuart P. G.  
Luff Ready  
Thompson Gittings*

The following is a record of the meeting:

1. A correction was made in the record of the previous meeting of July 24, 1967. On Page 2, sub-paragraph 6.) was changed to read, "Modifications should be considered for the transmission line relaying between Ranch and Ft. Myers to prevent tripping during serious system power swings."
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attach. 1. STATUS OF NEW CONSTRUCTION
3. Load forecast errors and spinning reserves for July and August were reviewed. The record continues to indicate some diversity in forecasting errors with the net generally on the high side. Combined spinning reserves at time of peaks were generally at least 50% over target, and there were no days when the combined figure was less than target. See Attachment 2. FORECASTING ERRORS AND SPINNING RESERVES
4. Gannon 6 is expected to be in commercial operation by the middle of October, and Gannon 1 should be returned to service by September 26. The scheduled six-week outage of Crystal River 1 has been shortened to two weeks because the proposed modifications must be deferred to 1968. Those developments will permit a schedule to be set up for the Tampa Bay area. TEC proposes to OVERHAUL SCHEDULES FOR REMAINDER OF 1967

FLORIDA OPERATING COMMITTEE

The thirty-fourth meeting of the Florida Operating Committee was held in Orlando, November 16, 1967.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
J. K. Wiley

Tampa Electric Company

C. H. Bennett  
M. M. Bostian  
Paul Folse  
T. W. Patrick

Florida Power & Light Company

H. W. Page  
C. N. Whitmire

Orlando Utilities Commission

V. Gardner  
H. C. Luff  
D. E. Moore  
T. C. Pope  
Irving Reedy  
L. E. Stone

City of Jacksonville

E. C. Nalle

The following is a record of the meeting:

1. The Chairman announced the appointment by Mr. Perez of Messrs. Knauss and Huffer as Committee members for Florida Power Corporation. Others attending for the first time were introduced.
2. A correction was made in the record of the meeting of September 14, 1967. The last two sentences of Paragraph 2, Page 3 were deleted, and the following inserted:

"Intentional time delay will be 6 cycles for bussed substations which have at least three terminals and which are either attended or provided with supervisory control for feeders connected to underfrequency relays. Intentional time delay will be 12 cycles for all other substations. Solid state relays will be considered for future installations."

3. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1. STATUS OF NEW CONSTRUCTION
4. Load forecast errors and spinning reserves for September and October were reviewed. There were no days when the spinning reserve for the combined systems was less than target. See Attachment 2. FORECASTING ERRORS AND SPINNING RESERVE.

FLORIDA OPERATING COMMITTEE

The thirty-fifth meeting of the Florida Operating Committee was held in Tampa, January 18, 1968.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
W. B. Simonds  
J. K. Wiley

Tampa Electric Company

C. H. Bennett  
M. M. Bostian  
J. E. Burris  
H. A. Moshell, Jr.  
R. E. Proctor  
Lester Ulm, Jr.  
R. D. Welch

Florida Power & Light Company

H. W. Page  
K. S. Buchanan  
C. N. Whitmire

Orlando Utilities Commission

T. C. Pope  
Irving Reedy

City of Jacksonville

R. L. Gittings  
E. C. Nalle  
R. L. Thompson

The following is a record of the meeting:

1. There were no changes made in the record of the meeting November 16, 1967. However it should be noted that future meeting dates were changed as noted below.
2. Because of certain conflicts, it was agreed to change the regular meeting dates from the third to the second Thursday of odd months. Meeting dates for the remainder of 1968 will be:

March 14	St. Petersburg
May 9	Orange Springs
July 11	Jacksonville
September 12	Orlando
November 14	Tampa

3. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attach. 1. New items and changes since previous meeting are shown. STATUS OF NEW CONSTRUCTION
4. Load forecast errors and spinning reserve for November and December were reviewed. There was one day when the spinning reserve for the combined systems was less than target. The complete record for the Year 1967 is included as Attach. 2. FORECASTING ERRORS AND SPINNING RESERVE

FLORIDA OPERATING COMMITTEE

The thirty-sixth meeting of the Florida Operating Committee was held in St. Petersburg, Florida March 14, 1968.

## Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
G. E. Marks  
B. J. Marshall  
W. B. Simonds  
J. K. Wiley

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
M. H. Bostian  
A. N. Darlington

Florida Power & Light Co.

K. S. Buchanan  
H. W. Page  
H. V. Street

Orlando Utilities Commission

Irving Reedy

City of Jacksonville

R. L. Gittings  
R. L. Thompson

The following is a record of the meeting:

1. There were no changes made in the record of the meeting January 18, 1968.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attach. 1. New items and changes since previous meeting are shown. STATUS OF NEW CONSTRUCTION
3. The status of underfrequency relay installations: STATUS OF UNDERFREQUENCY RELAYS
  - FPC - Awaiting receipt of relays - no change since last meeting.
  - TEC - 146 mw now connected, and set for agreed values. Shipment of solid state relays delayed, still planning to have all under-frequency relays in operation by end of 1968.
  - OUC - All relays set on agreed values. Refinements planned.
  - JAX - All relays set on agreed values.
  - FPL - All relays set on agreed values.

FLORIDA OPERATING COMMITTEE

The thirty-seventh meeting of the Florida Operating Committee was held at Orange Springs, Florida, May 9, 1968.

Present were:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
J. C. Huffer  
D. E. Knauss  
A. B. Leigh  
J. K. Wiley

Florida Power & Light Co.

K. S. Buchanan  
H. W. Page  
H. V. Street

Orlando Utilities Commission

T. C. Pope  
Irving Ready

Tampa Electric Company

C. H. Bennett  
J. E. Surris  
W. W. Hunsinger  
R. E. Proctor  
R. D. Welch

City of Jacksonville

R. L. Gittings  
E. C. Nalle  
R. L. Thompson

The following is a record of the meeting:

1. There were no changes made in the record of the meeting March 14, 1968.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attach. 1. New items and changes since previous meeting are shown.
3. The status of underfrequency relay installations:

STATUS OF NEW  
CONSTRUCTION

STATUS OF  
UNDERFREQUENCY  
RELAYS

FPC - Expecting shipment of relays May 15th - no change since last meeting.

TEC - 146 mw now connected and set for agreed values. Shipment of solid state relays delayed, still planning to have all underfrequency relays in operation by end of 1968.

OUC - All relays set on agreed values. Refinements planned.

JAX - All relays set on agreed values.

FPL - All relays set on agreed values.

It was mentioned that General Electric now has a solid state underfrequency relay on the market.

FLORIDA OPERATING COMMITTEE

The thirty-eighth meeting of the Florida Operating Committee was held at Jacksonville, Florida, July 11, 1968.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss

Florida Power & Light Co.

H. W. Page  
C. N. Whitmire

Tampa Electric Company

C. H. Bennett  
M. H. Bostian  
J. E. Burris  
W. W. Hunsinger  
T. W. Patrick  
R. E. Proctor  
R. D. Welch

Orlando Utilities Commission

Irving Reedy

City of Jacksonville

J. A. Lucas, Jr.  
E. C. Halle  
R. L. Thompson

The following is a record of the meeting:

Mr. Hobart H. Joost, Vice Chairman of the Jacksonville Electric Authority, and Mr. Clyde W. Simpson, Commissioner, Department of Electric and Water Utilities, were introduced to the group by Mr. T. W. Bostwick.

1. Minutes of the meeting May 9, 1968 were corrected as follows:  
Last sentence of Item 5, first subparagraph relating to Crystal River outage to read, "Scheduled outage has been extended because of cracked turbine blade ties".
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attach. 1.
3. OUC, JAX and FPCorp. have finished all major maintenance work scheduled to be completed before the summer season. FPL is currently rewinding Cutler No. 6 generator (135 mw) with completion scheduled for August 1. TEC has work remaining on the Gannon units and the schedule will depend on the summer load.

STATUS OF NEW  
CONSTRUCTION

MAINTENANCE  
SCHEDULES

It was agreed that maintenance schedules for the period October - December 1968, and for 1969 will be coordinated at the regular meeting to be held in Orlando September 12th.

FLORIDA OPERATING COMMITTEE

The thirty-ninth meeting of the Florida Operating Committee was held at Orlando, Florida, September 12, 1968.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
A. B. Leigh  
G. W. Marshall  
W. B. Simonds  
J. K. Wiley

Florida Power & Light Co.

J. S. Bell, Jr.  
K. S. Buchanan  
W. E. Coe  
H. W. Page  
A. D. Schmidt  
C. H. Whitmire

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger  
R. E. Proctor  
R. D. Welch

Orlando Utilities Commission

H. C. Luff  
D. E. Moore  
T. C. Pope  
Irving Reedy  
L. E. Stone

City of Jacksonville  
(Jacksonville Electric Authority)  
(as of 10/1/68)

R. L. Gittings  
E. C. Nalle  
R. L. Thompson

The following is a record of the meeting:

1. No changes were made in the record of meeting of July 11, 1968
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attach. 1. STATUS OF CONSTRUCTION
3. A draft report on the response of all systems to the loss of Turkey Point Plant, which was prepared by FPL with the cooperation of the other two systems, was presented. Discussion indicated that some corrections and additions should be made before the report is released for general circulation. These changes will be made by FPL and for review, the report will be submitted to a special subcommittee made up of C. H. Whitmire, C. H. Bennett, R. L. Gittings, J. C. Huffer, and Irving Reedy, Chairman. Assuming agreement and approval, the report will then be distributed for use by each system. DRAFT REPORT ON LOSS OF TURKEY POINT PLANT AUGUST 6, 1968



FLORIDA OPERATING COMMITTEE

The fortieth meeting of the Florida Operating Committee was held at Tampa, Florida, November 14, 1968.

Present were:

Florida Power Corporation

- Mr. J. H. Blanchard
- Mr. D. E. Knauss
- Mr. G. E. Marks
- Mr. W. B. Simonds

Tampa Electric Company

- Mr. C. H. Bennett
- Mr. M. M. Bostian
- Mr. J. E. Burris
- Mr. W. W. Hunsinger
- Mr. R. E. Proctor
- Mr. R. D. Welch

Florida Power & Light Company

- Mr. J. S. Bell, Jr.
- Mr. K. S. Buchanan
- Mr. H. M. Paul

Orlando Utilities Commission

- Mr. Irving Reedy

Jacksonville Electric Authority

- Mr. R. L. Gittings
- Mr. H. E. Millan
- Mr. R. L. Thompson

The following is a record of the meeting:

1. No changes were made in the record of the meeting of September 12, 1968.
2. The summary report on construction status of new plants, substation and transmission lines is included as Attachment 1.
3. A graphical summary of load forecasting errors and spinning reserve margins for the period April through September 1968 was distributed and reviewed. This is included as Attachment 2.
4. Mr. Irving Reedy, Chairman of the Special Subcommittee appointed September 12, 1968, reported on the recommendations which were formulated in Subcommittee meeting in Orlando, October 6, 1968. These recommendations are included as Attachment 3. The following is an outline of the discussion:

STATUS OF CONSTRUCTION

LOAD FORECASTING ERRORS AND SPINNING RESERVE

RECOMMENDATIONS OF SPECIAL COMMITTEE

FLORIDA OPERATING COMMITTEE

The forty-first meeting (special) of the Florida Operating Committee was held at Tampa, Florida on December 3, 1968.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
B. J. Marshall  
G. W. Marshall  
W. B. Simonds  
J. K. Wiley

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger  
H. A. Moshell  
R. D. Welch

Florida Power & Light Company

K. S. Buchanan  
H. W. Page  
A. D. Schmidt

Orlando Utilities Commission

Irving Reedy  
L. E. Stone

Jacksonville Electric Authority

R. L. Thompson

The following is a record of the meeting:

1. Mr. G. Pierce Wood, Vice President of Tampa Electric Company, thanked the group for the excellent help his company received from the other utilities when the Gannon Plant was lost by fire on November 20, 1968. Due to the power supplied by the other systems, Tampa Electric Company was able to sustain the loss of all six units in this major station without the loss of any firm load except for one customer. Mr. Wood also commended the group for their efforts in the design and operation of the individual systems in peninsular Florida in that trouble of such magnitude did not produce system-wide difficulties.

He expressed the hope that none of the other systems would experience such a catastrophe, and stated that TEC would be ready to reciprocate at all times.

2. Report was made by TEC on the loss by fire of Gannon Plant, November 20, 1968. Movies and photographs of the damage were shown.

Unit No. 3 was returned to service on November 21, and Unit No. 4 was in service on November 26. It is expected that Nos. 1 and 2 will be returned to service about December 10 and December 23 respectively, after internal inspection and repair of bearings and seals. Damage to Nos 5 and 6 units is being assessed but it appears

FLORIDA OPERATING COMMITTEE

The forty-second meeting of the Florida Operating Committee was held at St. Petersburg, Florida on January 22, 1969.

Present were:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
A. Friend  
J. C. Huffer  
F. King  
D. E. Knauss  
A. Leigh  
G. W. Marshall  
W. B. Simonds  
R. T. Steele  
W. W. Thompson

Florida Power & Light Company

E. L. Bivans  
H. W. Page  
C. N. Whitmire

Orlando Utilities Commission

T. C. Pope  
Irving Reedy

Jacksonville Electric Authority

R. L. Gittings  
R. L. Thompson

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
P. D. Folse  
W. W. Hunsinger  
R. E. Proctor  
R. D. Welch

The following is a record of the meeting:

1. No changes were made in the records of the meetings of November 14 and December 3, 1968.
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1. STATUS OF CONSTRUCTION
3. The graphical summary of load forecasting errors and spinning reserve margins for the year 1968 was presented and reviewed by Mr. Whitmire. In most respects, the record is similar to that for 1967 with about the same variability in individual and combined load forecasting errors and spinning reserve margins. Note was made that TEC maintained its required margins notwithstanding the loss of considerable capability at the Gannon Plant beginning November 20, 1968. The complete record is included as Attachment 2. LOAD FORECASTING ERRORS AND SPINNING RESERVE

FLORIDA OPERATING COMMITTEE

The forty-third meeting of the Florida Operating Committee was held at Turkey Point Plant south of Miami, on March 13-14, 1969.

Present were:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
J. C. Huffer  
D. E. Knauss  
A. B. Laign  
J. K. Wiley

Florida Power & Light Company

J. S. Bell  
K. S. Buchanan  
W. D. Lang  
H. W. Page  
H. V. Street  
C. N. Whitmire  
James Yontz

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
H. A. Moshell, Jr.  
R. D. Welch

Orlando Utilities Commission

T. C. Pope  
Irving Reedy  
L. E. Stone

Jacksonville Electric Authority

R. L. Gittings  
R. L. Thompson

The following is a record of the meeting:

1. Mr. McGregor Smith, Chairman of the Board of Florida Power & Light Company, spoke to the group on the development of the Turkey Point property as a power plant site and as a wild life refuge. The group was later taken on land and water tours of the site. An unscheduled visit was made to the location where the roadway had failed, and the 760 mw generator stator for Unit No. 3 had fallen in the Florida City Canal.
2. The Chairman announced the appointment by Mr. Hicks of Messrs. Burris and Welch as Committee members for Tampa Electric Co.
3. No changes were made in the record of the meeting of 1/22/69.
4. The summary report on construction status of new plants, sub-stations and transmission lines is included as Attachment I. STATUS OF CONSTRUCTION
5. Gannon 5 was returned to service February 21, 1969. It was removed from service March 5 for tube repairs and is expected to be in regular service about March 25. Gannon 6 has slipped from the expected operating date of May 1, 1969, and is now estimated to be returned to service "in the month of May". MAINTENANCE SCHEDULES
6. Mr. Bennett distributed final copies of the confidential report on coordinated operations accompanying and following the loss of Gannon Plant on November 20, 1968. LOSS OF GANNON PLANT-OPERATING REPORT

FLORIDA OPERATING COMMITTEE

The forty-fourth meeting of the Florida Operating Committee was held at Orlando, Florida, on April 10, 1969.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss

Florida Power & Light Company

J. S. Bell  
H. W. Page  
H. M. Paul  
H. V. Street

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger  
R. D. Welch

Orlando Utilities Commission

H. C. Luff  
T. G. Pope  
Irving Reedy  
L. E. Stone

Jacksonville Electric Authority

R. L. Gittings  
R. L. Thompson

The following is a record of the meeting:

1. Procedure for *Recovery After System Disturbance* (tentatively adopted at Turkey Point March 14) was discussed further. Load restoration after a major loss (Condition III) must be closely coordinated between the dispatchers in order to limit FPCorp internal ties to approximately 150 mw in. Greater inflow causes low voltage problems in FPCorp service area and increases the chances of another split. Mr. Huffer suggested that before restoration of load is attempted, each system should over-generate probably on the order of one-half of the amount which it intends to restore in a particular step.

RECOVERY AFTER  
SYSTEM  
DISTURBANCE

After some discussion including a review of the load restoration in the Port Everglades incident, it was decided not to change the wording of *Recovery After System Disturbance*, but to let it stand as written. It was agreed that in an emergency the five dispatchers will work together to achieve a fair and equitable restoration of load.

2. Four of the five systems have verbally indicated approval of the proposed extension of the full period leased voice circuit to include Jacksonville Electric Authority. All systems were asked to confirm the approval by note to Mr. Page as requested in letter dated March 31, 1969.

FULL PERIOD  
LEASED VOICE  
CIRCUIT BETWE  
DISPATCHING  
OFFICES  
(HOT LINE)

M 45-69  
May 19, 1969FLORIDA OPERATING COMMITTEE

The forty-fifth meeting of the Florida Operating Committee was held at Jacksonville, Florida, on May 15, 1969.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss

Florida Power & Light Company

J. S. Bell, Jr.  
H. W. Page  
H. V. Street

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger  
R. D. Welch

Jacksonville Electric Authority

R. L. Gittings  
R. L. Hester  
H. E. Millan  
R. L. Thompson  
C. Washburn

*Burris - Welch*  
*Huffer - Knauss*

*Street - Page*

*W. W. Hunsinger*

*Gittings - Thompson*

Orlando Utilities Commission

T. C. Pope

The following is a record of the meeting:

1. No changes were made in the records of the meetings of March 13-14 and April 10, 1969.
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1. STATUS OF CONSTRUCTION
3. Tampa Electric Company reported that Gannon No. 6 should be in service in late June or early July. Factory repair of the low pressure spindle has been delayed. MAINTENANCE SCHEDULES

Orlando Utilities Commission brought up the subject of maintenance plans beyond the summer, and it was agreed that schedules for the fall of 1969 and spring of 1970 would be coordinated at the July meeting.

Turner No. 4 will be out of service for two weeks beginning about May 18. Cape Kennedy No. 2 is expected to be in reliable operation by June 1, and Florida Power & Light Company will take Turkey Point No. 1 out of service for four weeks to replace auxiliary switch gear.

FLORIDA OPERATING COMMITTEE

The forty-sixth meeting of the Florida Operating Committee was held at Orlando, Florida, on August 1, 1969.

Present were:

Florida Power Corporation

J. H. Blanchard  
P. D. D'Agostino  
J. C. Huffer  
D. E. Knauss  
B. J. Marshall  
W. B. Simonds

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger  
R. D. Welch

Florida Power & Light Company

J. S. Bell, Jr.  
H. W. Page  
A. D. Schmidt  
H. V. Street

Orlando Utilities Commission

H. C. Luff  
T. C. Pope  
Irving Reedy  
L. E. Stone

Jacksonville Electric Authority

R. L. Thompson

The following is a record of the meeting:

1. No changes were made in the record of the meeting May 15, 1969.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1. STATUS OF CONSTRUCTION
3. Mr. Thompson reported that JEA was tied into the Hot Line (30 DP 4604) on May 23, 1969. Performance of the line has been satisfactory. FULL PERIOD LEASED VOICE CIRCUIT
4. Maintenance schedules for the remainder of 1969 and for 1970 were coordinated. Copies will be sent to all systems. MAINTENANCE SCHEDULES
5. The power supply situation for 1970 was discussed. Estimates of 1969 summer load have been exceeded and estimates for 1970 may be revised upward. It was agreed that the situation would be reviewed at the November meeting, and the wiggle tail curves revised at that time. POWER SUPPLY 1970

FLORIDA OPERATING COMMITTEE

The forty-seventh meeting of the Florida Operating Committee was held at Tampa, Florida, on September 11, 1969.

Present were:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
B. J. Marshall  
J. K. Wiley

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger  
R. E. Proctor  
R. D. Welch

Florida Power & Light Company

J. S. Bell  
K. S. Buchanan  
H. V. Street

Orlando Utilities Commission

I. W. Alderman  
Irving Reedy

Jacksonville Electric Authority

R. L. Gittings  
H. E. Millan  
R. L. Thompson

The following is a record of the meeting:

1. No changes were made in the record of the meeting of August 1, 1969.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1. STATUS OF CONSTRUCTION
3. A graphical summary of load forecasting errors and spinning reserve margins for the period January through July 1969 (Attachment 2) was distributed and reviewed by Mr. Buchanan. There were twelve occasions when spinning reserve was less than target amount by 10% or more. Six of these were in the period July 7 through July 12 when record breaking loads were experienced throughout the Peninsula. Gannon 6 was out of service and Fort Myers 2 had not been placed in operation. Some load reduction was in effect. LOAD FORECASTING ERRORS AND SPINNING RESERVE
4. Mr. Bell presented a preliminary report on the service interruption experienced on August 5, 1969 by the entire FPL east coast service area south of Ranch Substation from Lantana to Florida City. The disturbance was initiated by the loss of Port Everglades Plant due to malfunction of the breaker failure backup relay scheme at Port Everglades Plant. LOSS OF FPL AREA SOUTH OF RANCH - OPERATING REPORT
5. Three additional system disturbances were discussed: SYSTEM DISTURBANCES  
August 17, 1969 - Loss of Port Everglades Units 1 & 3 due to failure of North 224 mva, 240/138 kv autotransformer at Port Everglades Plant.



200365

M 48-69  
1/16/70

FLORIDA OPERATING COMMITTEE

The forty-eighth meeting of the Florida Operating Committee was held at Miami, Florida on December 11, 1969.

Present:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
L. H. Scott  
J. K. Wiley

Florida Power & Light Company

K. S. Buchanan  
H. W. Page  
H. V. Street  
C. N. Whitmire

Tampa Electric Company

P. D. Folse  
W. W. Hunsinger  
R. E. Proctor  
R. D. Welch

Orlando Utilities Commission

T. C. Pope  
Irving Reedy

Jacksonville Electric Authority

R. L. Gittings  
H. E. Millan  
R. C. Thompson  
C. Washburn

The following is a record of the meeting:

1. No changes were made in the record of the meeting of September 11, 1969.
2. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1. STATUS OF CONSTRUCTION
3. Maintenance schedules for the first half of 1970 were revised. See Attachment 2. Extra copies of the new schedules are being distributed to all systems. MAINTENANCE SCHEDULES
4. Load and capability figures through 1975 were discussed. Revised monthly figures are to be sent to Mr. H. V. Street for updating of plot of "Gross Capabilities and Estimated Loads". REVISED LOAD ESTIMATES
5. The stability case studies of Phase I - 1971, Loss of Turkey Point No. 3, will begin by December 26, 1969. Substantial progress is anticipated, and it is expected that results will be reported to the Florida Operating Committee at the February meeting. STABILITY STUDY

FLORIDA OPERATING COMMITTEE

The forty-ninth meeting of the Florida Operating Committee was held at St. Petersburg, Florida on February 12, 1970.

## Present:

Florida Power Corporation

J. H. Blanchard  
R. T. Bowles  
R. W. Claussen  
R. B. Coates  
R. L. Hartman  
J. C. Huffer  
D. E. Knauss  
A. B. Leigh  
G. E. Marks  
L. H. Scott  
R. T. Steele  
J. K. Wiley

Florida Power & Light Company

K. S. Buchanan  
H. W. Page  
H. M. Paul  
H. V. Street

Orlando Utilities Commission

Irving Reedy

Jacksonville Electric Authority

R. L. Gittings  
H. E. Millan  
R. C. Thompson

Tampa Electric Company

J. E. Burris  
W. W. Hunsinger  
R. E. Proctor

The following is a record of the meeting:

1. The record of the meeting December 11, 1969 was corrected as follows:

Second sentence of Item 11, Separation of Plants from System, to read, "There was general agreement that additional load shedding greater than 30% of total load is desirable in specific areas in order to minimize the frequency of occurrence of extreme low frequency conditions and consequent tripping of units".

2. The Chairman announced that Mr. Stanton had appointed Mr. T. C. Pope as Committee member for Orlando Utilities Commission, replacing Mr. H. C. Luff.
3. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1.

STATUS OF  
CONSTRUCTION

FLORIDA OPERATING COMMITTEE

The fiftieth meeting of the Florida Operating Committee was held at Orange Springs, Florida on April 9 - 10, 1970.

## Present:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
J. C. Huffer  
D. E. Knauss  
G. E. Marks  
L. H. Scott  
W. B. Simonds  
J. K. Wiley

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
J. D. Hicks  
W. H. Hunsinger  
H. A. Moshell, Jr.  
R. E. Proctor  
Lester Ulm, Jr.  
R. D. Welch

Florida Power & Light Company

J. S. Bell  
H. W. Page  
H. V. Street  
James Yontz

Orlando Utilities Commission

D. E. Moore  
T. C. Pope  
Irving Reedy

Jacksonville Electric Authority

R. L. Gittings  
H. E. Millan  
R. L. Thompson

City of Lakeland

C. D. McIntosh, Jr.

City of Tallahassee

Joe B. Dykes, Jr.

The following is a record of the meeting:

1. Mr. Joe B. Dykes, Jr. of the City of Tallahassee attended at the invitation of Florida Power Corporation, and Mr. C. D. McIntosh, Jr., attended at the invitation of Tampa Electric Company.
2. No changes were made in the record of the meeting of February 12, 1970.
3. The summary report on Construction Status of New Plants, Substations and Transmission Lines is included as Attachment 1.
4. Turkey Point 1 is out of service for replacement of the auxiliary switchgear. FPL plans to go ahead with the switchgear replacement on Turkey Point 2 immediately following the return of Turkey Point 1 to service.

STATUS OF  
CONSTRUCTION

MAINTENANCE  
SCHEDULES

FPCorp. reported plans for taking Turner 4 out of service coincident with the outage of Bartow 3.

FLORIDA OPERATING COMMITTEE

The fifty first meeting of the Florida Operating Committee was held at Jacksonville, Florida on June 11, 1970.

## Present:

Florida Power Corporation

J. H. Blanchard  
J. C. Huffer  
D. E. Knauss  
L. H. Scott  
R. T. Steele  
J. K. Wiley

Florida Power & Light Company

E. L. Bivans  
W. D. Lang  
H. W. Page  
A. D. Schmidt

Orlando Utilities Commission

T. C. Pope

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger

Jacksonville Electric Authority

R. L. Gittings  
H. E. Millen  
R. C. Thompson

The following is a record of the meeting:

1. Mr. W. B. Lesnett of the City of Lakeland attended at the invitation of Tampa Electric Company.
2. No changes were made in the record of the meeting of April 9-10, 1970.
3. The Chairman announced that Mr. E. L. Bivans had been appointed Committee member for Florida Power & Light Company, replacing Mr. H. V. Street who has retired.
4. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1. STATUS OF CONSTRUCTION
5. Maintenance schedules for the last half of 1970 and the first half of 1971 were coordinated by Messrs. Blanchard, Hunsinger, Schmidt, Pope and Thompson. Copies of the agreed schedules will be distributed to all systems as soon as they become available. MAINTENANCE SCHEDULES

Schedules for the second half of 1971 were deferred because of uncertainty as to the actual requirements and resources which will exist at that time.

FLORIDA OPERATING COMMITTEE

The fifty-second meeting of the Florida Operating Committee was held at Orlando, Florida on August 13, 1970.

Present:

Florida Power Corporation

- R. W. Claussen
- J. C. Huffer
- D. E. Knauss
- G. E. Marks
- B. J. Marshall
- R. T. Steele
- L. A. VanFossen

Florida Power & Light Company

- J. S. Bell
- W. D. Lang
- H. W. Page

Orlando Utilities Commission

- T. C. Pope
- Irving Reedy
- L. E. Stone

Tampa Electric Company

- C. H. Bennett
- J. E. Burris
- R. E. Proctor
- R. D. Welch

Jacksonville Electric Authority

- R. L. Gittings
- H. E. Millan
- R. L. Thompson

The following is a record of the meeting:

1. Mr. R. W. Cochran of the City of Lakeland, attended at the invitation of Tampa Electric Company. Mr. T. W. Tucker of the City of Tallahassee attended at the invitation of Florida Power Corporation.
2. Mr. C. H. Stanton, Executive Vice President of Orlando Utilities Commission, appeared briefly and expressed his interest in the work of the Committee.
3. No changes were suggested for the record of the meeting of June 11, 1970.
4. The summary report on construction status of new plants, substations, and transmission lines is included as Attachment 1. STATUS OF CONSTRUCTION
5. Operating problems have resulted in revisions to the 1970 Maintenance Schedule. The schedule for Crystal River 1 has been advanced two weeks to the period September 19 - October 4 to replace sections of tubes around the sub-floor openings. Turner 3 will be out of service for turbine modification November 14 - December 19. The planned retirements of Inglis 1, 2, and 3, Bayboro 2, 3, and 4, and Avon Park 1 and 2 will be delayed. Retirement of the Jackson Bluff hydro should take place by the end of 1970. MAINTENANCE SCHEDULES

FLORIDA OPERATING COMMITTEE

The fifty-third meeting of the Florida Operating Committee was held at Tampa, Florida on October 8, 1970.

Present:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
G. E. Marks

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
W. W. Hunsinger  
R. E. Proctor  
R. D. Welch

Florida Power & Light Company

W. M. Hoover  
H. W. Page  
J. R. Sullivan  
C. N. Whitmire  
James Yontz

Orlando Utilities Commission

Irving Reedy

Jacksonville Electric Authority

Jack Lucas  
H. E. Millan  
J. K. Wiley

The following is a record of the meeting:

1. Mr. E. L. Everton of the City of Lakeland, attended at the invitation of Tampa Electric Company.
2. No changes were suggested for the record of the meeting of August 13, 1970.
3. The summary report on construction status of new plants, substations, and transmission lines is included as Attachment 1.

STATUS OF  
CONSTRUCTION

In the future, pending the distribution of the minutes of each meeting, advance copies of this summary will be distributed for immediate use.

4. Coordination of Maintenance Schedules was postponed because of the failure of one system to make its data available. A special meeting will be held in Orlando for this purpose, the date to be determined later.

MAINTENANCE  
SCHEDULES

P8

FLORIDA OPERATING COMMITTEE

The fifty-fourth meeting of the Florida Operating Committee was held at Miami, Florida on December 11, 1970.

## Present:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
J. C. Huffer  
D. E. Knauss  
B. J. Marshall  
L. H. Scott

Florida Power & Light Company

J. S. Bell  
K. S. Buchanan  
H. W. Page  
A. D. Schmidt  
C. N. Whitmire  
James Yontz

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
R. E. Proctor  
R. D. Welch

Orlando Utilities Company

Irving Reedy

Jacksonville Electric Authority

R. L. Gittings  
J. K. Wiley

1511

The following is a record of the meeting:

1. Mr. W. R. Lesnett and Mr. Bob Cochran of the City of Lakeland, attended at the invitation of Tampa Electric Company. Mr. T. W. Tucker and Mr. J. B. Dykes of the City of Tallahassee, attended at the invitation of Florida Power Corporation.
2. The Chairman announced the appointment by Mr. Winnard of Mr. J. K. Wiley as Committee member for Jacksonville Electric Authority.
3. No changes were suggested for the record of the meeting of October 8, 1970.
4. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1. STATUS OF CONSTRUCTION
5. Mr. Knauss reported that Florida Power Corporation will make a 12 kv emergency interconnection with the City of Sebring around February 1, 1971. This temporary interconnection will be operated normally open until Dec. 1972, when a permanent 69 kv interconnection will be completed. NEW INTERCONNECTIONS

M 24 '71  
3/5/71  
PO

232302

FLORIDA OPERATING COMMITTEE

The fifty-fifth meeting of the Florida Operating Committee was held at St. Petersburg, Florida, on February 11, 1971.

Present:

Florida Power Corporation  
 P. D. Dagostino  
 J. H. Blanchard  
 R. W. Claussen  
 J. C. Huffer Member  
 D. E. Knauss Member  
 G. E. Marks  
 L. H. Scott  
 R. T. Steele  
 C. H. Taylor, Jr.  
 Pat Wells

Florida Power & Light Company  
 K. S. Buchanan  
 H. W. Page Member  
 James Yontz

Orlando Utilities Commission  
 T. C. Pope Member  
 Irving Reedy Member

Jacksonville Electric Authority  
 R. L. Gittings Member  
 R. L. Hester  
 W. T. Jackson  
 R. C. Kuether  
 H. E. Millan  
 J. K. Wiley Member

Tampa Electric Company  
 C. H. Bennett  
 J. E. Burris Member  
 R. E. Proctor

The following is a record of the meeting:

1. Mr. C. D. McIntosh, Jr. of the City of Lakeland, attended at the invitation of Tampa Electric Company
2. No changes were suggested for the record of the meeting of December 11, 1970.
3. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1.
4. Copies of the coordinated maintenance schedules for 1971 were distributed. Mr. Buchanan explained the proposed methods of drafting and printing to be used in the future. Under this proposal each system would be furnished pre-printed plotting paper and would enter all information. Certain standards would be followed that would result in uniform appearance. FPL would assemble the sheets prepared by the individual systems and would print the combined schedules. Each system will check this out with its production department for formal approval at next meeting.

STATUS OF CONSTRUCTIO

MAINTENANCE SCHEDULES 1971



PO 71

232319

FLORIDA OPERATING COMMITTEE

The fifty-sixth meeting of the Florida Operating Committee was held at Jacksonville, Florida on April 15, 1971.

Present:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
P. D. Dagostino  
J. C. Huffer Member  
D. E. Knauss Member  
L. H. Scott  
C. H. Taylor, Jr.

Florida Power & Light Company

E. L. Bivans Member  
K. S. Buchanan  
H. W. Page Member  
C. N. Whitmire

Orlando Utilities Commission

Irving Reedy Member

Tampa Electric Company

C. H. Bennett  
J. E. Burris Member

Jacksonville Electric Authority

R. L. Gittings Member  
R. L. Hester  
W. T. Jackson  
H. E. Millan  
H. K. Sammons  
J. K. Wiley Member

The following is a record of the meeting:

1. Mr. W. R. Lesnett of the City of Lakeland, attended at the invitation of Tampa Electric Company. Messrs. J. B. Dykes, Jr. and T. Tucker of the City of Tallahassee, attended at the invitation of Florida Power Corporation.
2. No changes were suggested for the record of the meeting of February 11, 1971.
3. The summary report on construction status of new plants, substations and transmission lines is included as Attachment I. STATUS OF CONSTRUCT
4. Graphic and tabular summaries of load forecasts and capabilities through 1975 were distributed by Mr. Bivans. The data is now plotted and tabulated on a 60-minute gross basis for peaks and a gross basis for capability. (Some estimating is required.) The Chairman proposed that in the future the data be reported on a net 60-minute basis for peaks, and on a net basis for capability. This change would permit the data to agree with information furnished to LOAD FORE & CAPABIL

212816

FLORIDA OPERATING COMMITTEE

The fifty-seventh meeting of the Florida Operating Committee was held at Orlando, Florida on June 10, 1971.

Present:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
P. D. Dagostino  
J. C. Huffer Member  
D. E. Knauss Member  
B. J. Marshall  
L. H. Scott

Florida Power & Light Company

J. S. Bell, Jr.  
H. W. Page Member

Jacksonville Electric Authority

R. L. Gittings Member  
R. C. Kuether  
H. E. Millan  
J. K. Wiley Member

Tampa Electric Company

J. E. Burris Member  
R. E. Proctor  
R. D. Welch Member

Lakeland Department  
of Electric & Water Utilities

R. W. Cochran Member  
C. D. McIntosh, Jr.

Orlando Utilities Commission

G. F. Erickson  
T. C. Pope Member  
Irving Reedy Member

Tallahassee Electric Department

J. B. Dykes Member  
T. W. Tucker Member

The following is a record of the meeting:

1. The Chairman announced the membership of the City of Lakeland and the City of Tallahassee, and welcomed their representatives.
2. No changes were suggested for the record of the meeting of April 15, 1971.
3. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1.
4. Mr. Bell presented reports prepared by FPL on:
  - a. The Loss of Riviera 3 and Crystal River 2, May 10, 1971
  - b. The Loss of Port Everglades 4 and Crystal River 2, May 18, 1971.

STATUS OF  
CONSTRUCTION

SYSTEM  
DISTURBANCES

FLORIDA OPERATING COMMITTEE

The fifty-eighth meeting of the Florida Operating Committee was held at Tampa, Florida on August 12, 1971.

232340

Present:

<u>Florida Power Corporation</u>		<u>Florida Power &amp; Light Company</u>	
R. H. Agamaite		E. L. Bivans	Member
J. H. Blanchard		H. W. Page	Member
R. W. Claussen		C. N. Whitmire	
P. D. Dagostino			
J. C. Huffer	Member	<u>Jacksonville Electric Authority</u>	
D. E. Knauss	Member	R. L. Hester	
S. J. Marshall		H. E. Millan	
L. H. Scott		J. K. Wiley	Member
<u>Tampa Electric Company</u>		<u>Lakeland Department</u>	
C. H. Bennett		<u>of Electric &amp; Water Utilities</u>	
J. E. Burris	Member	R. W. Cochran	Member
T. H. Farrow		W. R. Lesnett	Member
W. W. Hunsinger			
R. D. Welch	Member	<u>Tallahassee Electric Department</u>	
		J. B. Dykes, Jr.	Member
<u>Orlando Utilities Commission</u>		T. W. Tucker	Member
T. C. Pope	Member		

The following is a record of the meeting:

1. No changes were suggested for the record of the meeting of June 10, 1971.
  2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1. STATUS OF CONSTRUCTION
  3. Mr. Claussen reported that the work of the subcommittee has slipped 30-60 days since our last meeting. His report, including the new status of the several projects, included as Attachment 2. PLANNING SUBCOMMITTEE
- Claussen also reported on the allocation of costs for the various studies. TAL and LAK expressed willingness to share expenses of pertinent studies on the basis of the spinning reserve formula.

212794

M 59-71  
11/18/71

FLORIDA OPERATING COMMITTEE

The fifty-ninth meeting of the Florida Operating Committee was held at Orange Springs, Florida on October 14-15, 1971.

Present:

Florida Power Corporation  
 J. H. Blanchard  
 J. C. Huffer Member  
 D. E. Knauss Member

Florida Power & Light Company  
 E. L. Bivans Member  
 H. W. Page Member

Tampa Electric Company  
 C. H. Bennett  
 J. E. Burris Member  
 R. E. Proctor  
 R. D. Welch Member

Jacksonville Electric Authority  
 R. L. Gittings Member  
 R. L. Hester  
 Jack Lucas  
 H. E. Millan  
 J. K. Wiley Member

Orlando Utilities Commission  
 Irving Reedy Member

Lakeland Department  
of Electric & Water Utilities  
 R. W. Cochran Member  
 W. R. Lesnett Member

Tallahassee Electric Department  
 T. W. Tucker Member

The following is a record of the meeting:

1. No changes were suggested for the record of the meeting of August 12, 1971.
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1.
3. Mr. Proctor presented the report of the Planning Subcommittee (Attachment 2). There has been further slippage in the completion dates for all studies - this attributed to a shortage of man power. There was lengthy discussion of the problem and it was indicated that the Florida Operating Committee has probably asked the Subcommittee to do more than might reasonably be expected with available man power. Many stability, load flow and reserve studies have been completed but the assignments have piled up. The problem has been made worse by the inability of certain systems to firm up locations and/or dates for needed capacity additions.

STATUS OF  
CONSTRUCTION

PLANNING  
SUBCOMMITTEE

FLORIDA OPERATING COMMITTEE

212783

The sixtieth meeting of the Florida Operating Committee was held at Lakeland, Florida on December 2, 1971.

Present:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
D. Hornak  
J. C. Huffer Member  
D. E. Knauss Member

Tampa Electric Company

J. E. Burris Member  
R. E. Proctor

Orlando Utilities Commission

Irving Reedy Member

Tallahassee Electric Department

J. B. Dykes, Jr. Member  
P. N. Koikos

Florida Power & Light Company

H. W. Page Member  
W. A. Rishko

Jacksonville Electric Authority

R. L. Gittings Member  
R. L. Hester  
H. E. Millan  
J. K. Wiley Member

Lakeland Department  
of Electric & Water Utilities

R. W. Cochran Member  
Earle Everton  
W. R. Lesnett Member  
A. L. McCartney  
R. Siegel  
D. K. Smith

The following is a record of the meeting:

1. No changes were suggested for the record of the meeting of October 14-15, 1971.
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1. STATUS OF CONSTRUCTION
3. The report of the System Planning Subcommittee was presented by Mr. Claussen. A digest is included as Attachment 2. PLANNING SUBCOMMITTEE

Mr. Claussen discussed at some length the reliability aspects of the Long Range Generation Study. Conclusions of this portion of the Long Range Study are included as Attachment 3. He also presented a summary of the Load Flow Study for the summer of 1974. The recommendations of the Committee covering this study are included as Attachment 4.

Complete copies of each of the above reports will be mailed to member systems in the second week of December.

M 61-72

2/17/72

232359

FLORIDA OPERATING COMMITTEE

The sixty-first meeting of the Florida Operating Committee was held at Jacksonville, Florida on February 17, 1972.

## Present:

Florida Power Corporation

J. H. Blanchard  
R. W. Claussen  
J. C. Huffer  
Tom Kane  
D. E. Knauss  
B. J. Marshall

Tampa Electric Company

C. H. Bennett  
J. E. Burris  
R. E. Proctor  
R. D. Welch

Orlando Utilities Commission

T. C. Pope  
Irving Reedy  
J. B. Sanders

Tallahassee Electric Department

J. B. Dykes, Jr.  
P. N. Koikos

Florida Power & Light Company

W. D. Lang  
H. W. Page  
C. N. Whitmire

Jacksonville Electric Company

R. T. Dyer  
R. L. Gittings  
R. L. Hester  
E. H. Holtsinger  
W. T. Jackson  
R. C. Kueher  
H. E. Millan  
H. K. Sammons  
R. B. Waite  
J. K. Wiley

Lakeland Department  
of Electric & Water Utilities

R. W. Cochran

The following is a record of the meeting:

1. No changes were suggested for the record of the meeting of December 2, 1971.
2. The summary report on construction status of new plants, substations and transmission lines is included as Attachment 1. ● STATUS OF CONSTRUCTION
3. Since the last meeting Mr. Claussen has turned over the Chairmanship of the System Planning Subcommittee to Mr. R. E. Proctor of Tampa Electric Company. The dedicated performance of Mr. Claussen as Chairman of this Subcommittee for the past year was recognized, and Mr. Proctor was officially designated as the new Chairman. His report is included as Attachment 2. SYSTEM PLANNING SUBCOMMITTEE

212758

FLORIDA OPERATING COMMITTEE

The sixty-third meeting of the Florida Operating Committee was held at St. Petersburg, Florida, on June 8, 1972.

Present:

Florida Power Corporation

J. H. Blanchard  
B. L. Griffin  
J. S. Gillman  
H. F. Hebb  
D. L. Hornak  
J. C. Huffer Member  
D. E. Knauss Member  
B. J. Marshall  
R. E. Raymond  
J. L. Scheidt  
H. I. Southwick

Tampa Electric Company

C. H. Bennett  
J. E. Burris Member  
T. H. Farrow  
T. W. Patrick  
R. E. Proctor  
R. D. Welch Member

Florida Power & Light Company

E. L. Bivans Member  
H. W. Page Member  
C. N. Whitmire

Jacksonville Electric Authority

R. L. Hester  
H. E. Millan  
J. K. Wiley Member

Orlando Utilities Commission

G. F. Erickson  
T. B. Sanders

Tallahassee Electric Department

C. H. Corn  
J. B. Dykes, Jr. Member  
P. N. Koikos

Lakeland Department  
of Electric & Water Utilities

R. W. Cochran Member

The following is a record of the meeting:

Mr. R. E. Raymond, Senior Vice President of Florida Power Corporation, welcomed the Committee in its first meeting at the Corporation's new General Office Complex. He touched briefly on the coming transition to the new Florida Electric Power Coordinating Group, complimenting the Committee on its past performances, and suggesting that the challenges of the future would be met with the same dedication.

1. The record of the meeting of April 13, 1972 should be changed to recognize that Mr. Louis Stone of Orlando Utilities Commission was improperly listed as associated with the Jacksonville Electric Authority, and that Mr. T. W. Patrick was improperly listed as a member of the Florida Operating Committee in the place of Jr. J. E. Burris.

FLORIDA OPERATING COMMITTEE

212743

The sixty-fourth meeting of the Florida Operating Committee was held at Tallahassee, Florida, on August 17, 1972.

Present:

Florida Power Corporation

J. H. Blanchard Member  
B. L. Griffin  
D. E. Knauss Member  
B. J. Marshall  
J. L. Scheidt

Lakeland Department of  
Electric & Water Utilities

R. Siegel

Orlando Utilities Commission

Irving Reedy Member

Florida Power & Light Company

E. L. Bivans Member  
K. S. Buchanan  
H. W. Page Member  
J. Yontz

Tallahassee Electric Department

R. L. Casserleigh  
C. H. Corn  
J. B. Dykes, Jr. Member  
P. N. Koikos  
F. H. Laffey

Jacksonville Electric Authority

R. T. Dyer  
J. A. Lucas, Jr.  
D. B. Malone

Tampa Electric Company

C. H. Bennett  
J. E. Burris Member  
R. D. Welch Member

Mr. C. C. Blaisdell, Jr. and Mr. C. L'Engle of Lake Worth and Mr. P. H. Waters of Gainesville attended the meeting on the invitation of the Chairman.

The following is a record of the meeting:

Vice Chairman Reedy acted as chairman for the morning session and Vice Chairman Burris acted as chairman for the afternoon session.

1. The Chairman announced the appointment by Mr. Raymond of Mr. J. H. Blanchard as Committee member for Florida Power Corporation to replace Mr. J. C. Huffer. Guests and others attending for the first time were introduced.

2. The record of the meeting of June 8, 1972 should be changed as follows:

CHANGES  
IN RECORD  
M 63-72



The sixty-fifth meeting of the Florida Operating Committee was held at Orange Springs, Florida, on October 12/13, 1972.

Present:

Florida Power Corporation

J. H. Blanchard Member  
 Craig Huffer  
 D. E. Knauss Member  
 B. J. Marshall  
 J. L. Scheidt

Florida Power & Light Company

J. S. Bell  
 K. S. Buchanan  
 H. W. Page Member

Jacksonville Electric Authority

D. B. Malone  
 H. E. Millan  
 J. K. Wiley, Jr. Member

Lakeland Department of Electric & Water Utilities

R. W. Cochran Member  
 J. A. Libey.

Orlando Utilities Commission

Irving Reedy Member

Tallahassee Electric Department

C. H. Corn  
 J. B. Dykes, Jr. Member

Tampa Electric Company

C. H. Bennett  
 J. E. Burris Member  
 R. E. Proctor  
 R. D. Welch Member

Attending at the invitation of the chairman:

Mr. Mac H. Cunningham, Florida Municipal Utilities Association  
 Mr. Ken Morgan, Vero Beach  
 Mr. Claude L'Engle, Lake Worth  
 Mr. Jack Zeiher, Lake Worth  
 Mr. Carey Jones, Gainesville  
 Mr. Paul Waters, Gainesville  
 Mr. R. M. Cameron, Gainesville

The following is a record of the meeting:

1. The summary report of construction status of new plants, substations and lines is included as Attachment 1. STATUS OF CONSTRUCTION
2. Mr. Proctor reported for the Planning Subcommittee on the status of current studies. His report is included as Attachment 2. PLANNING SUBCOMMITTEE

There was discussion of the development of the 500 kv grid in Florida and potential points of interconnection with the Southern System that are being studied by the Florida Power Corporation and Southern and by the Florida Operating Committee.

*Meeting*

11

Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, 8/27/81, Tr. 72-73, 89, 92, 417.

1 UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF FLORIDA.

3 GAINESVILLE REGIONAL UTILITIES, etc.,

DOCUMENT 11

4 Plaintiffs, :

5 vs. :

: 79-5101 CIV-JLK

6 FLORIDA POWER & LIGHT COMPANY, :

7 Defendant.. :

8 -----:

9  
10  
11  
12  
13 DEPOSITION OF ERNEST L. BIVANS, taken

14 pursuant to Notice, held at the Offices of Florida  
15 Power and Light Company, 9650 W. Flagler Street,  
16 Miami, Florida, on August 25, 1981, commencing at or  
17 about 10:05 o'clock, a.m., before MARTIN B. LESHAW,  
18 Official Court Reporter and Notary Public for the  
19 State of Florida.  
20

21  
22 -----  
23  
24  
25

1 Committee act by voting?

2 A No.

3 Q What was the basis upon which it decided to  
4 do this?

5 A Lack of census.

6 Q Did the Florida Operating Committee exchange  
7 information on a confidential basis at any time?

8 A I can't tell you what everybody in the  
9 Florida Operating Committee did.

10 Q Are you familiar with the communications  
11 among members of the Florida Operating Committee?

12 A Only those for which I received copies.

13 Q Did you receive copies of meeting minutes?

14 A Usually, yes.

15 Q When you say "usually," would that have  
16 been as a matter of course or why wouldn't it have been  
17 all the time?

18 A Well, Mr. Street was the member of the  
19 Florida Operating Committee and copies of the minutes were  
20 sent to him. If he routed them to me, I saw them. If he  
21 didn't route them to me, I didn't see them.

22 Q Is there any way to know if he routed them  
23 to you routinely or not? I'm not asking you to speculate.

24 A I'm not sure if he routed them all to me.

25 Q What about minutes or other documents

1 relating to subcommittees, would you have received those  
2 routinely?

3 A I don't remember that the subgroups kept  
4 minutes on a regular basis.

5 Q Do you recall whether you received minutes  
6 of any of the study groups?

7 A I don't remember receiving any. I'm not  
8 sure they kept minutes.

9 MR. GUTTMAN: I will have marked as Bivans  
10 Exhibit 4 for Identification a three-page document dated  
11 12-10-64, "Florida Operating Committee, Study Group for  
12 Joint Long-Range Planning."

13 On the top right-hand corner is a pencilled-  
14 in notation, "Page missing." I don't know who put that in.

15 Q Is that in your handwriting?

16 A No.

17 (Thereupon, the document referred  
18 to was marked as Bivans Exhibit  
19 No. 4 for Identification.)

20 MR. GUTTMAN: There may not be a page  
21 missing. I don't know.

22 Q Do you know what the study group for joint  
23 long-range planning was?

24 A I knew what it was then. I'm not sure I  
25 know what it is now.

1 in any conversation, which has expressed any such concerns.

2 Q What about letters, memos, written  
3 communications.

4 A I don't know.

5 Q If there had been any written communications,  
6 would you have been aware of them?

7 A Not unless they were written to me or sent  
8 copies to me.

9 Q If copies were sent to Mr. Page or Mr.  
10 Street or Mr. Fite, would you have routinely have gotten  
11 them; do you know?

12 A Not necessarily.

13 Q During the late 1960's do you recall Mr.  
14 Hebb ever expressing concerns about the adequacy of the  
15 coordination activities of the Florida Operating Committee?

16 A Concern about the adequacies?

17 Q About whether the Florida Operating Committee  
18 was doing enough to maximize economies and to jointly --

19 A I don't recall any.

20 Q Do you recall Mr. Hebb or any Florida Power  
21 Corporation person ever expressing any concern about  
22 Florida Power & Light's lack of willingness to increase the  
23 amount of coordination among members of the Florida  
24 Operating Committee?

25 MR. BOUKNIGHT: Objection. Unless you

1 Q Would Florida Power & Light likely have  
2 gotten a copy of this memo at the time?

3 MR. BOUKNIGHT: Objection. There is no  
4 basis of that.

5 You don't have to speculate. You can  
6 testify as to what you know, Mr. Bivans.

7 A I have never seen this document before.

8 Q If Florida Power & Light had gotten it,  
9 would you have seen it?

10 A I said I have never seen it before.

11 Q I guess the gist of my question is, in the  
12 affidavit to NRC, you were closely involved with the  
13 activities of the Florida Operating Committee. My question  
14 is, if such a document like this came to Florida Power &  
15 Light, would you have seen it?

16 A If it was sent to me, I would have seen it.

17 Q If they sent it to Mr. Page or Mr. Fite --

18 A Very probably I would not have seen it.

19 Q Why do you say it's probable that you would  
20 not have seen it?

21 A Because Mr. Page specifically got a lot of  
22 correspondence which I was not copied.

23 Q What about Mr. Fite?

24 A The same.

25 Q What about if it had gone to Mr. Street?

1 UNITED STATES DISTRICT COURT FOR  
2 THE SOUTHERN DISTRICT OF FLORIDA

3 GAINESVILLE REGIONAL UTILITIES, etc., :  
4 Plaintiffs, :  
5 vs. : 79-5101 CIV-JLK  
6 FLORIDA POWER & LIGHT COMPANY, :  
7 Defendant. :

8 -----:

9  
10  
11  
12  
13 DEPOSITION OF ERNEST L. BIVANS, taken  
14 pursuant to Notice, held at the Offices of Florida Power  
15 & Light Company, 9650 West Flagler Street, Miami, Florida,  
16 on August 27, 1981, commencing at 9:25 o'clock a.m.,  
17 before MARTIN B. LESHAW, Official Court Reporter and  
18 Notary Public for the State of Florida.

19  
20  
21  
22  
23  
24  
25

-----

NEW YORK  
18 COURT ST.  
BROOKLYN, N.Y.  
(212) TR 5-2442

NATIONAL REPORTING SERVICE  
MARTY LESHAW  
OFFICIAL COURT REPORTER  
CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT, DADE COUNTY, FLA.

MIAMI  
44 W FLAGLER ST.  
(305) 373-7295



1 meeting relating to coordination with the CARVA pool in  
2 1966-67?

3 A I don't know whether he did or not in '66-'67.  
4 I have no knowledge what Hebb did.

5 Q Do you know if Florida Power & Light was  
6 invited to attend any regional meetings with CARVA in  
7 '66-'67?

8 A Not to my knowledge.

9 Q Would you have known if there was an  
10 invitation?

11 A If the invitation was extended to me, I  
12 would know about it. If the invitation was extended to  
13 someone else who told me about it, I would know about it.  
14 Otherwise, I would not have known about it. As far as I  
15 know, I never heard of it before.

16 Q Do you know what the single system approach,  
17 as used on page 2 of the GK 42, means? Do you know what  
18 is referred to by that?

19 MR. BOUKNIGHT: Objection. He answered  
20 that at some length a few minutes ago.

21 Q I think you said that the single system  
22 approach as used there is not what you would use as the  
23 single system approach. What I want to know is, do you  
24 know what it meant as used there?

25 A No, I didn't say that.

12

Excerpts from minutes and notices of Florida Operating  
Committee meetings involving 1959-1961 joint studies.

M 5-59  
 Recorded 11/59  
 Published 1/3/6

FLORIDA OPERATING COMMITTEE

Minutes of Meeting  
 November 10, 1959

The fifth meeting of the Florida Operating Committee was held in the General Offices of Tampa Electric Company, Tampa, Florida, November 10, 1959.

Present :	Mr. J. D. Hicks	}	Tampa Electric Company
	Mr. J. R. Brice		
	Mr. R. E. Proctor		
	Mr. W. B. Simonds	}	Florida Power Corporation
	Mr. J. T. Logan		
	Mr. H. W. Page	}	Florida Power & Light Company
	Mr. K. S. Buchanan		

Purpose of the meeting was to consider and approve the program for the joint board study scheduled to be held at Georgia Tech during the week of November 16, 1959.

The following is a brief record of the discussions and results of the meeting:

1. The Chairman reviewed the effort to make a joint board study, remarking that as early as the first meeting of the Operating Committee in January 1959, the matter was brought up and that at the third meeting in March the present Subcommittee was formed. At the fourth meeting in July the Operating Committee discussed in some detail the work being done by Mr. Simonds in connection with Senate Resolution 71, and at this meeting the Subcommittee was given the green light to go ahead and plan the joint board study along the lines which the three companies were reporting to ERI as their expected growth picture. Since its formation, the Joint Board Study Subcommittee, consisting of Mr. Brice - TEC, Chairman; Mr. Logan - FPC, and Mr. Bivans - FPL (later Mr. Buchanan), have met six times and a great deal of work has been done. It is realized that this joint work has required extra effort over and beyond the normal assignments of the various people involved and the Chairman expressed the thanks of the main Committee in commending the Subcommittee for its fine work. Particular credit was given for the review which the Subcommittee made to determine if the short range plans of the three companies conflicted on a long range basis.

JOINT BOARD  
 STUDY

Mr. Brice, Chairman of the Subcommittee, presented a plan for the joint board study of the three systems as they may appear about the year 1970 when the combined capability will be an estimated 10 million kw. Four new plant sites are projected, and units up to 500,000 kw size are integrated

by a state wide grid operating at 230 kv. In general, the plan for the board study will be to study major unit and line outages to determine if the 230 kv grid and larger generating stations could be operated as an integrated system to the mutual benefit of all three companies. The study then might be used as a general guide for individual and joint planning - modified of course, to meet actual needs as the loads develop.

There was discussion of the methods to be used in the board study since it appeared that there were minor differences in the procedures ordinarily used by the individual companies. The possibility of utilizing a digital computer for continuing the study, was also discussed.

The outline proposed by Mr. Brice was accepted for the three companies by Messrs. Hicks, Simonds, and Page, and it was agreed that Mr. Brice is to prepare a preliminary report for the Operating Committee. All releases will be confidential.

The meeting adjourned at noon so that the Joint Board Study Subcommittee could meet again and work out some last minute data requirements.

Before adjourning, the Chairman brought up the matter of overhaul schedules for 1960, and it was proposed by Mr. Hicks that the tentative schedules be prepared for discussion before the end of 1959. The Chairman also mentioned that the reports of system disturbances had been passed over the last two meetings and that a summary report might be made for the next meeting to bring this matter up to date for the record. TEC and FPC agreed to forward the necessary data on their outages, and the Chairman will prepare a summary report along these lines.

AGENDA FOR  
NEXT MEETING

If possible, the next meeting will be held before the end of the year, to agree on overhaul schedules for 1960. Budget and other planning requirements make it desirable to set these schedules before the beginning of the year.

NEXT MEETING

H. W. Page  
Chairman

Copies: Mr. J. D. Hicks (5)  
Mr. Lester Uln, Jr.  
Mr. A. P. Perez (10)  
Mr. W. B. Simonds  
Mr. H. W. Page (10)  
Mr. H. V. Street

N 5-59  
November 4, 1959

FLORIDA OPERATING COMMITTEE

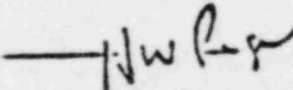
Mr. J. D. Hicks, Tampa Electric Company, Tampa, Florida  
Mr. Lester Uln, Jr., Tampa Electric Company, Tampa, Florida  
Mr. A. P. Perez, Florida Power Corporation, St. Petersburg, Florida  
Mr. W. B. Simonds, Florida Power Corporation, St. Petersburg, Florida  
Mr. H. V. Street, Florida Power & Light Company, Miami, Florida

Confirming telephone discussions this date with Messrs. Hicks and Simonds, the fifth meeting of the Florida Operating Committee will be held in Tampa at 9:00 a.m. November 10, 1959 in the General Offices of the Tampa Electric Company.

The purpose of the meeting is to consider and approve the program for the Joint Board Study, which will be held at Georgia Tech during the week beginning November 16.

The Joint Board Study Subcommittee, Mr. Brice, TEC Chairman; Mr. Logan, FPC; and Mr. Buchanan, FPL; will meet at the same place in Tampa on Monday, November 9 at 10:00 a.m. to finalize the program to be presented to the Operating Committee on the following day. Messrs. Simonds and Page, and possibly Mr. Hicks, plan to attend this preliminary session.

Because of the importance of the matter, and the work remaining to be done, it is planned to devote the entire time to the Joint Board Study.

  
H. W. Page  
Chairman

Copies: Messrs. J. D. Hicks ( 5)  
A. P. Perez (10)  
H. W. Page (10)  
J. R. Brice  
J. T. Logan  
E. L. Bivans  
K. S. Buchanan

N 7-60  
June 13, 1960

FLORIDA OPERATING COMMITTEE

Mr. J. D. Hicks, Tampa Electric Company, Tampa, Florida  
Mr. Lester Uln, Jr., Tampa Electric Company, Tampa, Florida  
Mr. A. P. Perez, Florida Power Corporation, St. Petersburg, Florida  
Mr. W. B. Simonds, Florida Power Corporation, St. Petersburg, Florida  
Mr. H. V. Street, Florida Power & Light Company, Miami, Florida

Confirming telephone discussions June 10 with Messrs. Hicks and Perez, the seventh meeting of the Florida Operating Committee will be held in Tampa at 9:30 a.m., June 23, 1960 in the General Offices of the Tampa Electric Company.

A G E N D A

1. The Joint Planning Subcommittee consisting of Mr. Brice, TEC; Mr. Logan, FPC; and Mr. Buchanan, FPL, will present the results of its study of the three systems as they may appear in 1970 when the combined capacity will be an estimated 10 million kw. This study has been under way since a Joint Board Study was made at Georgia Tech in November 1959; it may offer a basis for cooperative planning as the three systems grow.
2. The Chairman will submit for consideration the working agreement under which the Illinois Power Company, Central Illinois Public Service Company and Union Electric Company operate the Illinois-Missouri Power Pool. These three companies have many of the same problems which we have experienced here in Florida, and it is thought that their contractual relations can be examined to determine if they may be used as a guide to design a three party agreement for the Florida companies.

*H. W. Page / ess*  
H. W. Page  
Chairman

HPF/ess

Copies: Messrs. J. D. Hicks ( 5 )  
A. P. Perez (10)  
H. W. Page (10)

3. FPL and FPC are practically on schedule in their overhaul with no difficulties reported. TEC has had to delay the two Gannon units until October - November. FPL may have to lengthen time allotted to Ft. Myers No. 1 and Lauderdale Mts. 4 and 5, but this should not interfere with other large units.

OVERHAUL  
SCHEDULES

4. Plans for 1960 reported by each of the three companies in January 1960 appear to be materializing as expected except that the Ft. White - Silver Springs line will probably not be ready for service before early 1961.

PLANS FOR 1960

5. High speed reclosure for FPC end of Sanford tie was discussed at January 13 meeting, and FPC was to look into the matter. Mr. Simonds will follow up on this item.

HIGH SPEED  
RECLOSURE FOR  
SANFORD TIE

6. Overloading of transformer on TEC-FPC tie at Jumeau has been minimized by cooperation of the TEC, FPC and FPL dispatchers. Morning pickup load schedules have been watched very closely to avoid overloading of the transformer. TEC reported that they have tentative long-range plans to eliminate this bottleneck.

OVERLOADING OF  
TRANSFORMER TIE  
AT JUMEAU

7. The Joint Planning Subcommittee consisting of Mr. Brice, TEC, Mr. Logan, FPC, and Mr. Buchanan, FPL, presented its report on "A Coordinated Plan for the 1970 Generation and Transmission Requirements for the Electric Utilities of Florida". Work on this report has been underway since the Subcommittee was assigned the task in March 1959.

JOINT BOARD  
STUDY

Broad aspects of the report were covered by the Subcommittee but lack of time cut the discussion short. It will be continued at the next meeting after each of the three companies has had a chance to review it more thoroughly. The need for further study of certain parts has been brought out, and it is hoped that specific additional work can be laid out for the Joint Planning Subcommittee at the next meeting.

8. The Chairman distributed copies of a folder containing the Illinois-Missouri Power Pool Agreement and information pertaining to it. This had been prepared to stimulate discussion of a mutually satisfactory three-party agreement to provide for increased cooperation between the three Florida companies. Lack of time prevented discussion and the matter will be continued at the next meeting.

ILLINOIS-MISSO  
POOL AGREEMENT

*Handwritten notes:*  
2/15/60  
2/15/60  
L. EST  
W. EST

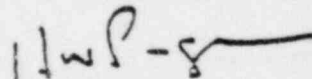
FLORIDA OPERATING COMMITTEE

Mr. J. D. Hicks, Tampa Electric Company, Tampa, Florida  
Mr. Lester Ulin, Jr., Tampa Electric Company, Tampa, Florida  
Mr. J. R. Brice, Tampa Electric Company, Tampa, Florida  
Mr. A. P. Perez, Florida Power Corporation, St. Petersburg, Florida  
Mr. W. B. Simonds, Florida Power Corporation, St. Petersburg, Florida  
Mr. M. F. Hebb, Jr. Florida Power Corporation, St. Petersburg, Florida  
Mr. H. V. Street, Florida Power & Light Company, Miami, Florida  
Mr. K. S. Buchanan, Florida Power & Light Company, Miami, Florida

JOINT PLANNING STUDY 1964 - 65

The above report has just been completed by Messrs. Brice, Hebb and Buchanan of our respective companies, with the cooperation of the Orlando Utilities Commission. Distribution shown below is being made today in preparation for meetings and discussions between the several utilities. It is suggested that these discussions should include:

1. Consideration of using energy and demand accounting procedures based on actual schedules - such procedures are in wide use around the country. Our present method of accounting for energy flow, company by company, is already burdensome and will become more so.
2. Adoption of a calendar month for intersystem billing. This will eliminate a lot of work which now results from TEC, FPC and FPL each having a different billing month.
3. The handling and method of repayment of unintentional interchange.
4. Effect of transmission losses resulting from free flow of power - i.e. losses due to power circulating in loops or resulting from one system purchasing from another. Under what circumstances should such losses be neglected? Under what circumstances should they be accounted for?



H. W. Page  
Chairman

Copies: Mr. J. D. Hicks (15)  
Mr. A. P. Perez (20)  
Mr. H. W. Page (20)

Distribution of Report:

Mr. J. D. Hicks	(5)	Mr. H. W. Page	(5)
Mr. J. R. Brice	(1)	Mr. K. S. Buchanan	(1)
Mr. A. P. Perez	(5)	Mr. C. H. Stanton	(3)
Mr. M. F. Hebb, Jr.	(1)	Mr. F. C. Wallace	(1)
		Mr. E. C. Windisch	(1)



13

Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, Tr. 113.

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA.

GAINESVILLE REGIONAL UTILITIES, etc.,

DOCUMENT 13

Plaintiffs,

vs.

FLORIDA POWER & LIGHT COMPANY,

Defendant..

:  
: 79-5101 CIV-JLK  
:

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DEPOSITION OF ERNEST L. BIVANS, taken  
pursuant to Notice, held at the Offices of Florida  
Power and Light Company, 9650 W. Flagler Street,  
Miami, Florida, on August 25, 1981, commencing at or  
about 10:05 o'clock, a.m., before MARTIN B. LESHAW,  
Official Court Reporter and Notary Public for the  
State of Florida.

-----

1 Do you recall whether you have seen these  
2 two pages before?

3 A I don't recall it per se. I may have.

4 Q Do you know whether this draft, or a similar  
5 draft, was ever discussed at a Florida Operating Committee  
6 meeting; was there ever any discussion about the regional  
7 organization?

8 A I don't remember. I'm not sure what the  
9 statement "regional organization" means.

10 Q Looking at Bivans Exhibit 3 for Identification  
11 page two, item 7, which also refers to a statement  
12 concerning regional organization, do you recall any  
13 discussions of the statement "regional organization" in the  
14 Florida Operating Committee?

15 A No. You asked me that question before. I  
16 was not at that meeting. I still don't know.

17 MR. GUTTMAN: I will offer this as Bivans  
18 Exhibit 12 for Identification.

19 (Thereupon, the document referred  
20 to was marked as Bivans Exhibit  
21 No. 12 for Identification.)

22 MR. GUTTMAN: I would like to identify  
23 Bivans Exhibit 12 for Identification, a one-page letter  
24 from Louis H. Winnard, Jacksonville Electric Authority, to  
25 Mr. Harry Luff, Assistant Director, Orlando Utilities

14

Excerpts from minutes of meetings of FOC's Study Group for Joint Long-Range Planning, showing people present at the meetings.

FLORIDA OPERATING COMMITTEE JOINT STUDY  
FOR PERIOD 1967 - 1980

A meeting was held in Tampa, October 5, 1964 to discuss the Proposed Joint Study for the Period 1967 - 1980. (See attached memorandum HWP/KSB 9/24/64)

Attendance

- A. P. Perez ) Florida Power Corporation
- M. F. Hebb )
- J. D. Hicks ) Tampa Electric Company
- Lester Ulm, Jr. )
- R. D. Welch )
- H. W. Page )
- E. L. Bivans ) Florida Power & Light Company
- J. G. Raine )
- K. S. Buchanan )

Agreement was reached that the study should be made, and that it should include Orlando Utilities Commission and City of Jacksonville if they are willing to participate.

The scope was discussed at some length and there were differences of opinion as to whether the study should follow the pattern on which General Electric Company bid. Both Tampa Electric Company and Florida Power Corporation want at least one plan in which unit size is ultimately selected by the computer, and at least one plan in which a given service reliability index is maintained to determine installation dates of given size of unit. Tampa also desires complete economic evaluation of generation sites, taking into account differences in fuel cost, construction cost, fixed charges, etc. Consensus was that this will require evaluation of additional last year plans, perhaps, four rather than the proposed two. It was agreed that the GE proposal was for the most part appropriate, and since considerable flexibility is built into it, it can be changed with the mutual agreement of the participants as the study progresses. Additional programs may be performed by any participant at his own cost, or jointly, by several participants at their prorated costs.

It was the opinion of the group that employment of a consultant is not desirable. The study will be administered by Mr. Hebb for FPC, Mr. Ulm for TEC, and Mr. Bivans for FPL.

The proposed allocation of the cost of computer facilities and services, 50% on the basis of 1964 summer peaks and 50% divided equally, did not meet with approval; and a 70 - 30 division was proposed. This division gives around \$5000 as the cost of computer facilities and services to Orlando Utilities Commission and City of Jacksonville, and it was suggested that these two prospective participants be approached on the basis of coming in at a flat cost of \$5000 for computer facilities and services. The balance of this cost will be borne by Florida Power & Light Company (52%), Florida Power Corporation (25.5%), and Tampa Electric Company (21.5%).

Allocation of Cost of Computer Facilities & Services

	<u>Summer Load 1964</u>		<u>70% Based On</u>	<u>30%</u>	<u>Total</u>	
	<u>MW</u>	<u>%</u>				
If OUC and JAX Both Participate	FPL	2419	60.1	\$16828	\$4000	\$20828 (52.07% of \$40000)
	FPC	945	23.5	6580	4000	10580 (26.45% of \$40000)
	TEC	658	16.4	4592	4000	8592 (21.48% of \$40000)
		<u>4022</u>	<u>100.0</u>	<u>\$28000</u>	<u>\$12000</u>	
	OUC				5000	
	JAX				5000	
					<u>\$5000</u>	
If JAX Does Not Participate	FPL			\$18932	\$4500	\$23432 (52.07% of \$45000)
	FPC			7403	4500	11903 (26.45% of \$45000)
	TEC			5165	4500	9665 (21.48% of \$45000)
				<u>\$31500</u>	<u>\$13500</u>	
	OUC					5000
					<u>\$5000</u>	

Handwritten notes: "See 177 7/11 5/34 8/13, 1964"

FLORIDA OPERATING COMMITTEE  
STUDY GROUP FOR JOINT LONG-RANGE PLANNING

The first meeting of the Study Group for Joint Long-Range planning was held in the Engineering Conference Room of Tampa Electric Company on December 1, 1964, at 9:00 A.M. Those in attendance were:

- |          |                |                              |
|----------|----------------|------------------------------|
| Messrs., | J. R. Brice    | Tampa Electric Co.           |
|          | P. D. Folse    |                              |
|          | J. K. Wiley    | Florida Power Corp.          |
|          | G. E. Marks    |                              |
|          | W. E. Scott    |                              |
|          | K. S. Buchanan | Florida Power & Light Co.    |
|          | J. G. Raine    |                              |
|          | Irving Reedy   | Orlando Utilities Commission |
|          | R. L. McCall   | City of Jacksonville         |
|          | R. L. Gittings |                              |
|          | E. C. Nalle    |                              |
|          | J. C. Hartley  | General Electric Co.         |
|          | A. J. Wood     |                              |

The official members of the Long-Range Study Group, as appointed by each participant, are: Tampa Electric Company, J. R. Brice, R. E. Proctor-Alternate; Florida Power Corporation, J. K. Wiley; Florida Power & Light Company, K. S. Buchanan Chairman, J. G. Raine; Orlando Utilities Commission, Irving Reedy; City of Jacksonville, E. C. Nalle (appointed 12/4/64).

The following is a brief record of the meeting:

1. Mr. Wood reviewed the data requirements of the various computer programs that are to be used in our Joint Long-Range Planning Study. He discussed a proposed schedule for the various phases of the study and showed by use of charts how several phases are carried along concurrently. The proposed schedule covers the eight-month period January 1965 through August 1965. He emphasized the need to furnish promptly the input data and study guidelines during the first 3 months of the study in order that the selection and evaluation of the possible expansion plans can be accomplished within the four month period, April through July. The final summary report will be prepared during August. The proposed schedule was adopted.
2. A large scale map of the systems of the five participants will be required in the study. Mr. Buchanan will send each participant, Mr. Wood and Mr. Hartley, a full-size print of State of Florida Electric System Map of Major Transmission Lines.

2/10/65

FLORIDA OPERATING COMMITTEE  
STUDY GROUP FOR JOINT LONG-RANGE PLANNING

MINUTES OF JANUARY 21, 1965 MEETING

The meeting was called to order by Chairman Buchanan at 10:35 a.m. January 21, 1965, in a Conference Room at Tampa Electric Company. (The 1965 stability study and 1967 load flow study were discussed prior to this meeting and will be reported on separately.) In attendance were:

Messrs.	K. S. Buchanan	Florida Power & Light Co.
	J. G. Raine	" " " " "
	C. L. Ballard	" " " " "
	J. K. Wiley	Florida Power Corp.
	G. E. Marks	" " "
	J. R. Brice	Tampa Electric Co.
	Bob May	" " "
	P. Foltz	" " "
	Irving Reedy	Orlando Util. Comm.
	R. L. Gittings	City of Jacksonville
	R. L. Thompson	" " "
	E. C. Nalle	" " "
	J. C. Hartley	General Electric Co.

- It was decided that the penalty factors for preliminary production costing were to be determined by using the 130 bus, scheduling load flow program as suggested by Dr. Wood. The 1967 load flow presently being assembled by the Florida Operating Committee Study Group will be used as a guide for reduction of the State system to 130 buses. A 70% load level will be used with this 130 bus system for determining the penalty factors. The bus numbers for each utility will be as follows:

PENALTY  
FACTORS

<u>Company</u>	<u>Bus Numbers (Inclusive)</u>
OUC	1 through 7
Jacksonville	8 through 15
TECo.	16 through 37
FPC	38 through 92
FP&L	93 through 130

This load flow data is to be ready for running by March 1. Mr. Hartley is to supply each participant with the input forms and instruction manual for this matrix load flow program.

- Each utility is to arrive at its own unit investment cost data in TOTAL \$ and \$/KW for the particular unit sizes that it forecasts for use in generation expansion Plant #1 and other plans. The cost data of each utility are to reflect its own rating and design practices, such as number and type of boiler feed pumps, type of fuels, throttle pressure, number of generator step-up transformers, high voltage termination, etc.

INVESTMENT  
COST DATA  
REQUIREMENTS

FLORIDA OPERATING COMMITTEE  
STUDY GROUP FOR JOINT LONG RANGE PLANNING  
MINUTES OF MARCH 9 - 10, 1965 MEETING

The meeting was called to order by Chairman Buchanan at 9:00 a.m., March 9, in a Conference Room at Tampa Electric Company. In attendance were:

Messrs.	K. S. Buchanan	-	Florida Power & Light Co.
	J. G. Raine	-	" " " "
	C. L. Ballard	-	" " " "
	J. K. Wiley	-	Florida Power Corporation
	G. E. Marks	-	" " " "
	W. E. Scott	-	" " " "
	J. L. Brice	-	Tampa Electric Co.
	R. M. May	-	" " " "
	E. C. Nalle	-	City of Jacksonville
	R. L. Thompson	-	" " " "
	Harry Luff	-	Orlando Utilities Commission
	Irving Reedy	-	" " " "
	J. C. Hartley	-	General Electric Co.
	Dr. A. J. Wood	-	" " " "

The data forms for the Scheduling Load Flow were discussed prior to merging each utility's data. The point was made that we are using gross loads and gross incremental heat rate data, which brings up the question of how to handle the plant service usage. After much discussion it was decided to represent the plant service usage as a load on the plant bus. Dr. Wood discussed the Scheduling Load Flow Program. A brief description follows:

PENALTY  
FACTOR  
DETER-  
MINATION

1. An impedance matrix is established using the line data.
2. The load flow solution is arrived at by use of the impedance matrix, rather than the nodal iterative method.
3. The generation is scheduled in accordance with the "Coordination Equations," utilizing the individual generator incremental heat rate data, taking into account transmission losses.
4. The transmission losses are calculated by the PSP method, where the B is assumed to be the R component of the impedance matrix. It was indicated that this assumption lends itself to only a plus or minus 5% error in total system losses, over the actual B matrix constants.



LONG-RANGE STUDY GROUP  
MINUTES OF OCTOBER 28-29, 1965 MEETING

11/3/65

241061

The meeting was called to order by Chairman Buchanan at 9:30 A.M., October 28, in the Engineering Conference Room of the Jacksonville City Hall. In attendance were:

Messrs.	K. S. Buchanan	Florida Power and Light Company
	J. G. Raine	" " " " "
	F. H. Hammond	" " " " "
	J. K. Wiley	Florida Power Corporation
	W. E. Scott	" " "
	J. R. Brice	Tampa Electric Company
	P. B. Folse	" " "
	R. L. McCall	City of Jacksonville
	E. C. Nalle	" " "
	R. L. Thompson	" " "
	Irving Reedy	Orlando Utilities Commission
	J. C. Hartley	General Electric Company, Tampa

1. A discussion was held on the investment costing output for Plans 2 through 5A. There is such a small differential investment between the plans that no positive conclusions could be reached. It appears that the original forecast of the \$/kw trend for the larger units was not decreasing fast enough in order to widely separate these five generation plans. In Plan 5A, where a decreased forced outage rate was used, there was a marked decrease in the investment. In general, it was concluded that these plans did not differ enough in investment cost to properly distinguish the most desirable plan.

INVESTMENT  
COSTING

2. With the expansion plans that we have studied, there is not a great differential in the total investment cost associated with each plan. In order to analyze the different expansion data, we must arrive at a minimum investment and production cost figure for each expansion plan. Once this is achieved, we should realize a curve as depicted below.

GENERATION  
EXPANSION  
PLANS

LONG-RANGE STUDY GROUP  
MINUTES OF JANUARY 13-14, 1966 MEETING.

A two-day meeting was held at the Florida Power Corporation's offices on January 13-14, 1966, beginning at 9 A.M. In attendance were:

Messrs.	K. S. Buchanan	Florida Power and Light Company
	J. G. Raine	
	C. L. Ballard	
	J. K. Wiley	Florida Power Corporation
	W. E. Scott	
	G. E. Marks	
	J. R. Brice	Tampa Electric Company
	P. L. Folse	
	Dick Koble	
	Irving Reedy	Orlando Utilities Commission
	E. C. Nalle	City of Jacksonville
	J. C. Hartley	General Electric Company
	Dr. L. L. Garver	General Electric Company, Schenectady, N. Y.

1. During the entire first day of this meeting, Dr. Garver reviewed the basic decision making techniques used in the Transmission Estimation Program. The preliminary transmission estimation plan output for Generation Expansion Plan 2 was reviewed, in the light of determining how the input data influenced the transmission design.

PRELIMINARY  
TRANSMISSION  
PLANNING

Most of the paradoxes in the output were resolved and it was decided to change various input data for a rerun of the preliminary transmission estimation plan. A normal and a line outage case is to be run. This will serve as a guide for future transmission estimation designs.

Due to the limitation of the number of right-of-ways that can be used in the planning groups, each member should list all right-of-ways that they feel are of importance. Each member should exchange this data by February 4, in order to assure that coordination between utilities has been taken into consideration.

2. Generation Expansion Plans 6, 7, 8 and 9 were reviewed from the standpoint of: (1) size and timing of generating unit additions, and (2) generating plant investment costs for all-fossil expansions.

GENERATION  
EXPANSION  
PLANS

The determination of the two best generation expansion plans was then discussed. As reported in the Minutes of the last meeting, the selection is to be based upon investment costs and preliminary production costs of the generation plans studied to date.

FLORIDA OPERATING COMMITTEE

January 12, 1961

MEMORANDUM

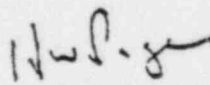
Mr. J. R. Brice, Tampa Electric Company, Tampa, Florida  
Mr. M. S. Hebb, Florida Power Corporation, St. Petersburg, Florida  
Mr. E. S. Buchanan, Florida Power & Light Company, Miami, Florida

JOINT PLANNING

It was agreed in our meeting of January 11, 1961 at Tampa, that each company would furnish the following information so that joint requirements for 1961-64 could be fully explored. Florida Power & Light Company will combine and plot all data and the combined presentation will be made available to Tampa Electric Company and Florida Power Corporation in another meeting at Tampa, Friday, January 20th. The data will be used to set up the load levels and area requirements for feasibility study of additional transmission lines.

1. Demonstrated gross kw capability of each unit for each month of the year (may be estimated or determined from log sheets).
2. Estimated 60 minute integrated maximum system peaks in gross kw by month for the years 1961, 1962, 1963, 1964. These estimates should be broken down by areas - see report dated April 1960 for the nine natural load areas of peninsular Florida.
3. Actual 60 minute integrated maximum system peaks in gross kw for each month of the year 1960; the dates of such peaks and the 60 minute integrated gross system kw for each of the 24 hours of such days; the time and amount of instantaneous peaks of such days, if available.
4. The 60 minute integrated gross system kw for each of the 24 hours of certain dates for each month of 1960 to be furnished each company by the other two companies, and representing their monthly peak days; the time and amount of the instantaneous peaks of such days, if available.

It was suggested that each company give consideration and express its views as to how bona fide interruptible loads should be treated in the determination of required and actual system reserves.

  
H. W. Page  
Chairman

Copies: Mr. J. D. Hicks (5)  
Mr. A. P. Perez (10)  
Mr. E. W. Page (10)

FLORIDA OPERATING COMPANIES

January 23, 1961

55-1572

- Mr. J. D. Hines, Tampa Electric Company, Tampa, Florida
- Mr. H. W. Hobb, Florida Power Corporation, St. Petersburg, Florida
- Mr. R. G. Anderson, Florida Power & Light Company, Miami, Florida

JOINT PLANNING

It was agreed in meeting January 20, 1961 at Tampa, that representatives could submit at once on data for base case representing three company system conditions which might exist as of September 1964. Data will include出力 of Cannon #4 and reactor #3 generating units and 230 kv transmission lines connecting with the St. Marks-Lake Wales area to West Palm Beach area, central area and to Tampa St. Petersburg-Garfield area. It is hoped that data can be submitted to CE computer center early in February - with further cases following rapidly. Additional cases will probably include load levels of May, September and Winter, 1963 and 1964.

It was noted that core reactor #3 and Cannon #4 are currently scheduled for operation in October 1963, but that Cannon #4 may be deferred to 1964.

Study of peak load data for each company for each month of 1960 indicates that in any diversity of peak - for the purpose of study, the average peak of the three companies will be used to obtain the probable peak load. Data will be available to be used on integrated system basis - each company will submit the results to obtain magnitude and time of instantaneous or 15 minute peak corresponding to the data for 1960. A multiplier will be established to convert the integrated peak to instantaneous peak, since the latter peak is the one that will be used.

The winter and summer tentative operating schedules for 1963 and 1964 to be used in preparing study cases.

*H. W. Hobb*  
 H. W. Hobb  
 Chairman

- Copies: Mr. J. D. Hines (5)
- Mr. H. W. Hobb (10)
- Mr. R. G. Anderson (10)

15

Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, 8/27/81, Tr. 67, 69, 74-75, 348, 377.

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA.

DOCUMENT 15

GAINESVILLE REGIONAL UTILITIES, etc.,

Plaintiffs,

vs.

FLORIDA POWER & LIGHT COMPANY,

Defendant..

:  
: 79-5101 CIV-JLK

-----:

DEPOSITION OF ERNEST L. BIVANS, taken

pursuant to Notice, held at the Offices of Florida  
Power and Light Company, 9650 W. Flagler Street,  
Miami, Florida, on August 25, 1981, commencing at or  
about 10:05 o'clock, a.m., before MARTIN B. LESHAW,  
Official Court Reporter and Notary Public for the  
State of Florida.

-----

1 Florida Operating Committee in the early 60's?

2 A I think we referred to various groups from  
3 time to time, where we made various studies. The different  
4 studies were not necessarily involving the same people.

5 Q Do you recall a coordinating plan, as  
6 identified on page 2 there?

7 A Yes, there was one made.

8 Q Do you recall who from Florida Power & Light  
9 would have worked on that plan?

10 A Which individual in particular?

11 Q Or individuals, yes.

12 A I have no idea, no.

13 Q Did you work on that plan?

14 A I may have.

15 Q When you prepared your affidavit in the  
16 Nuclear Regulatory Commission context, did you seek to  
17 review the study?

18 A The study per se?

19 Q Yes.

20 A No.

21 Q It also refers to the joint planning study,  
22 1964-65. Do you recall who from Florida Power & Light  
23 would have worked on that?

24 A No, not in particular.

25 Q Do you know if you worked on that, if you

1 A Yes.

2 Q Did he have any responsibility specifically  
3 with the Florida Operating Committee during the 1960's?

4 A At different times he reported to me and  
5 also Mr. Page.

6 Q Do you know if he did any work on the  
7 studies of the Florida Operating Committee?

8 A Yes.

9 Q In preparing your affidavit, did you  
10 discuss the Florida Operating Committee with Mr. Buchanan?

11 A No.

12 Q When you prepared your affidavit, did you  
13 discuss the Florida Operating Committee with Mr. Page?

14 A No.

15 Q Is Mr. Street still alive, if you know?

16 A Yes.

17 Q When you prepared your affidavit, did you  
18 discuss the Florida Operating Committee with Mr. Street?

19 A No.

20 Q Our review of the minutes of the Florida  
21 Operating Committee also indicate a Mr. Whitmire attending.  
22 Do you know why Mr. Whitmire would have attended the  
23 Florida Operating Committee meeting?

24 A Because he worked for Mr. Page at that time.

25 Q He was a deputy of some sort, in Mr. Page's



1 Q When you prepared your affidavit for the  
2 NRC, did you undertake to find out what it was, to refresh  
3 your recollection?

4 MR. BOUKNIGHT: The question asked a few  
5 minutes ago is "was." "If you don't know, when did you  
6 forget?" That is a rather harrassing kind of question.  
7 If you want to know something about this, ask him about it.

8 Q Could you please answer the question.

9 MR. BOUKNIGHT: Why does it matter when Mr.  
10 Bivans forgot?

11 MR. GUTTMAN: I want to know, when he  
12 prepared the affidavit, whether he knew what this study  
13 group was.

14 Q Could you answer the question?

15 A It was a study group.

16 Q Do you know what studies it produced?

17 A Well, it produced -- the purpose of it was  
18 to produce long-range generation and transmission studies.

19 Q Do you know if it produced any?

20 A I'm sure they would have.

21 Q Do you know when it came out, or what dates  
22 it came out?

23 A No.

24 Q When you produced the affidavit, did you  
25 review any studies to find out when they were?

1 A No.

2 Q Do you recall whether you received this  
3 type of document at the time it was produced? I'm not  
4 asking you to speculate. Do you know one way or the other?

5 A I don't know if I ever saw this or not. I  
6 don't remember.

7 Q Do you know if the relay subcommittee, which  
8 you referred to earlier, kept minutes of its meetings?

9 A I have no idea.

10 MR. GUTTMAN: I would like to identify as  
11 Bivans Exhibit 5 for Identification three pages headed  
12 "Relay Subcommittee, Florida Operating Committee, Minutes  
13 of the Meeting, September 21, 1967," and ask Mr. Bivans  
14 if he recalls having receiving contemporaneously copies of  
15 these types of minutes.

16 (Thereupon, the document referred  
17 to was marked as Bivans Exhibit  
18 No. 5 for Identification.)

19 THE WITNESS: I don't recall ever seeing it.

20 Q Do you recall whether you received progress  
21 reports from the transient stability study groups?

22 A This last page attached to this document is  
23 not related to the first two pages.

24 Q That may be. I will accept that. It  
25 appeared to be related to us. I'll be happy to --

1 UNITED STATES DISTRICT COURT FOR  
2 THE SOUTHERN DISTRICT OF FLORIDA

3 GAINESVILLE REGIONAL UTILITIES, etc., :

4 Plaintiffs, :

5 vs. : 79-5101 CIV-JLK

6 FLORIDA POWER & LIGHT COMPANY, :

7 Defendant. :

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13 DEPOSITION OF ERNEST L. BIVANS, taken

14 pursuant to Notice, held at the Offices of Florida Power  
15 & Light Company, 9650 West Flagler Street, Miami, Florida,  
16 on August 27, 1981, commencing at 9:25 o'clock a.m.,  
17 before MARTIN B. LESHAW, Official Court Reporter and  
18 Notary Public for the State of Florida.

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NEW YORK  
16 COURT ST.  
BROOKLYN, N.Y.  
(212) TR 5-2442

NATIONAL REPORTING SERVICE  
MARTY LESHAW  
OFFICIAL COURT REPORTER  
CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT, DADE COUNTY, FLA.

MIAMI  
44 W. FLAGLER ST.  
(305) 373-7298

1 I'm not sure if that report actually made  
2 any recommendations as to installation of units and so  
3 forth.

4 Q The paragraph says that the plan was based  
5 on a, quote, "single system approach." Do you know what  
6 that term "single system approach" might mean in that  
7 context, in that plan?

8 A That was a favorite term used by Florida  
9 Power Corporation, which meant we would have an expansion  
10 plan based on single ownership.

11 Q Was the plan referred to on a single system  
12 approach?

13 A That's his interpretation of it. I think  
14 the plan will speak for itself. It has to be reviewed in  
15 that context. It has been a long time since I reviewed  
16 that plan. I don't know if I can accept that characteriza-  
17 tion.

18 Q Did you review the plan in connection with  
19 the affidavit that you filed before the NRC?

20 A No.

21 Q Do you know if you were one of the people  
22 that signed off on that plan when it was prepared?

23 A I don't remember whether I did or not.

24 Q Do you know if you worked on the plan in  
25 any way?

1 that I participated in the preparation of the report itself.

2 Q That's my question. The report itself seems  
3 to be signed by Logan, Buchanan --

4 A I think it was done mostly by those  
5 individuals and they, in turn, under the direction of the  
6 three above.

7 Q Have you had an opportunity to discuss this  
8 plan in the last couple of years or since the time of the  
9 affidavit and today, with Mr. Buchanan?

10 A No.

11 Q You didn't in preparation for the affidavit?

12 A I did not review it in preparation for the  
13 affidavit. I did review it briefly here just before lunch  
14 and right after lunch.

15 Q Was this plan or this document or information  
16 considered by Florida Power & Light in its own planning in  
17 1960 and thereafter?

18 A This was a plan, basically, which says  
19 coordination -- which we looked at and assembled. All the  
20 plans that the participants received would be required to  
21 supply the load and generation on their own systems and  
22 for additional transmission lines or for their own system,  
23 as well as additional transmission lines between utilities,  
24 and to determine how well the plans coordinated, or attempt  
25 to achieve or maximize the coordination of the plans.

16

Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, 8/26/81, Tr. 6, 177-181, 363.

1 UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF FLORIDA.

3 DOCUMENT 16

4 GAINESVILLE REGIONAL UTILITIES, etc.,

5 Plaintiffs, :

6 vs. :

7 : 79-5101 CIV-JLK

8 FLORIDA POWER & LIGHT COMPANY,

9 Defendant.. :

10 ----- :

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13 DEPOSITION OF ERNEST L. BIVANS, taken

14 pursuant to Notice, held at the Offices of Florida  
15 Power and Light Company, 9650 W. Flagler Street,  
16 Miami, Florida, on August 25, 1981, commencing at or  
17 about 10:05 o'clock, a.m., before MARTIN B. LESHAW,  
18 Official Court Reporter and Notary Public for the  
19 State of Florida.  
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NEW YORK

12 COURT ST.  
BROOKLYN, N.Y.  
(212) TR 5-2442

NATIONAL REPORTING SERVICE  
MARTY LESHAW

OFFICIAL COURT REPORTER

CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT, DADE COUNTY, FLA.

MIAMI

44 W. FLAGLER ST.  
(305) 373-7285

1 preparation of transmission plans and the coordination of  
2 those, for the generation plans, I take it there was someone  
3 else doing something with reference to generation plans.

4 A Generation plans at that time was done on an  
5 informal basis. It was the primary responsibility of Mr.  
6 Smith. He took that upon himself.

7 He proposed various alternatives for  
8 generation expansion which we evaluated, as far as meeting  
9 our transmission liability and meeting our transmission  
10 requirements and reserve requirements as we then determined  
11 them to be.

12 Q When you became assistant chief engineer  
13 in 1960, were you also continuing as head of the system  
14 planning section?

15 A There was another person appointed there,  
16 but he reported to me.

17 Q Who was that?

18 A There are two people. Offhand I can't  
19 remember which one came first. The first one was W. D.  
20 Lang and the other, Jim Yontz.

21 Q Were you the sole assistant chief engineer  
22 during the 1960's?

23 A I was until around about the mid-60's, when  
24 J. A. Lassiter was appointed also assistant chief engineer.  
25 Then we had two assistant chief engineers.



UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF FLORIDA

GAINESVILLE REGIONAL UTILITIES, etc., :

Plaintiffs, :

vs. : 79-5101 CIV-JLK

FLORIDA-POWER & LIGHT COMPANY, :

Defendant. :

-----:

DEPOSITION OF ERNEST L. BIVANS, taken  
pursuant to Notice, held at the Offices of Florida Power  
& Light Company, 9650 West Flagler Street, Miami, Florida,  
on August 26, 1981, commencing at or about 9:25 a.m.  
before MARTIN B. LESHAW, Official Court Reporter and Notary  
Public for the State of Florida.

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1 A As to which unit and units to buy?

2 Q In the 50's, yes.

3 A No.

4 Q Who would have been involved?

5 A McGregor Smith.

6 Q What about in the period 1960 to '65?

7 A McGregor Smith.

8 Q Would you have been involved in that?

9 A I'm involved at some stages during that  
10 period, at some stages of it, but not in the negotiations  
11 and actual size selected.

12 Q Who would have been involved in the period  
13 1950 to 1965 in the size selection?

14 A McGregor Smith.

15 Q He would not have gotten a formal recommen-  
16 dation from the engineering department?

17 A I can't answer that question. There's no  
18 "yes" or "no" answer to that question. First, you have to  
19 understand how McGregor Smith operated.

20 Q To be clear, I understand Mr. MacDonald or  
21 Mr. Hudiburg would have been the person making that  
22 decision. I think Mr. MacDonald would have been eager to  
23 say that he's not the one that makes the calculations and  
24 he would defer to someone like you to make the calculations.

25 Did Mr. Smith actually do the determination

1 as to what to buy in the 1960's?

2 MR. BOUKNIGHT: Please don't make a speech.  
3 If you want to testify, we'll be happy to arrange an  
4 occasion for that. Ask Mr. Bivans questions today.

5 MR. GUTTMAN: If you will, please don't  
6 interrupt every time I ask a question, and I'll try to  
7 keep my questions down.

8 MR. BOUKNIGHT: If you ask unobjectionable  
9 questions, you will get fewer objections.

10 MR. GUTTMAN: Your job is to state an  
11 objection, not give a speech.

12 MR. BOUKNIGHT: Do you have any questions?

13 MR. GUTTMAN: I think a question was pending  
14 before you made your speech.

15 Q Mr. Bivans, when you said you have to  
16 understand how Mr. Smith operates or operated, could you  
17 tell me what you meant?

18 A Mr. Smith, in making his determination, would  
19 gather people in his office, and not necessarily the same  
20 people all the time, and quiz them under various aspects  
21 of what he was interested in. Then when he finished, he  
22 would make the decision.

23 Q As someone in the engineering department,  
24 do you recall studying yourself or supervising or knowing  
25 of any study in the 1950's that compared various alternative

1 sizes of units?

2 A Compared them as to what?

3 Q As to what Florida Power & Light should  
4 purchase, either in terms -- compared whether Florida Power  
5 & Light should purchase 50 megawatt, as compared to 100  
6 megawatt, for whatever reasons.

7 A There were some, yes.

8 Q Did you do them or who did those studies?

9 A Well, I don't know who did any other studies.  
10 I remember one, in particular, that I did which compared  
11 the installation of two 80 megawatt installations at  
12 different units, as opposed to one bigger unit.

13 Q Approximately when was that study done?

14 A The one which led to the installation of  
15 the number six unit at Cutler.

16 Q That is what you referred to earlier?

17 A Yes.

18 Q Did you ever do any study or analysis of  
19 the offers by various vendors as to different sizes?

20 A No.

21 Q Do you know of anybody in the engineering  
22 department who did it?

23 A No.

24 Q Do you know of anybody else in the company  
25 that did an analysis in terms of putting something in

1 writing, comparing the vendors' offers, sizes, different  
2 sizes?

3 A Well, I don't know as to what studies were  
4 made of the vendors' offers. I'm sure different people  
5 evaluated vendors' offers on some type of basis, but I  
6 was not a part of it.

7 Q What part of the organization would have  
8 done that?

9 A It could have been done in several places.

10 Q For example?

11 A Certain vendor analysis and comparisons were  
12 made in our power plant engineering section of general  
13 engineering. There was some done directly by McGregor  
14 Smith on the back of an envelope. There may have been some  
15 done by -- probably some was done by Harry Street. But  
16 he would have been working through power plant engineering.

17 Q Do you recall discussing any of those  
18 studies with any of the individuals that you named?

19 A I don't recall discussing any of those  
20 studies which evaluated any vendors' proposals or bids.

21 Q Would vendors submit proposals for alternate  
22 sizes on occasion, or would it simply be one size?

23 A They would submit proposals for the sizes  
24 for which Florida Power & Light had indicated that they  
25 had an interest in. Sometimes they submitted a proposal

1 for maybe a little larger.

2 Q Who was the individual who would ask them  
3 to submit proposals?

4 A Well, probably the purchasing department.

5 Q Who would have gotten the proposals to  
6 evaluate? Would the company send it to the purchasing  
7 department, send the proposals to the purchasing  
8 department?

9 A At one point in time, I guess it was all  
10 done directly with Mr. Smith.

11 Q At what point would it be sent, if any,  
12 would it be sent --

13 A I don't know. I don't remember.

14 Q Were you involved at all in the selection  
15 of the Turkey Point nuclear units, referring to number two  
16 and three?

17 A Selecting them?

18 Q The sizing of them.

19 A No. They were offered as a size that  
20 Westinghouse was trying to sell. There was no determination  
21 made as to whether it should be that size or smaller or  
22 another size. They were offering a comparable size also.

23 Q Did Westinghouse offer only one size when  
24 you had the Turkey Point units before you?

25 A I did not see the proposals.

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF FLORIDA

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GAINESVILLE REGIONAL UTILITIES, etc., :  
Plaintiffs, :  
vs. : 79-5101 CIV-JLK  
FLORIDA POWER & LIGHT COMPANY, :  
Defendant. :

-----:

DEPOSITION OF ERNEST L. BIVANS, taken  
pursuant to Notice, held at the Offices of Florida Power  
& Light Company, 9650 West Flagler Street, Miami, Florida,  
on August 27, 1981, commencing at 9:25 o'clock a.m.,  
before MARTIN B. LESHAW, Official Court Reporter and  
Notary Public for the State of Florida.

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1           A     He was involved in the Florida Power & Light  
2 planning process when he was working for Florida Power &  
3 Light. When he was working for Mr. Page, he was not.

4           Q     When you say he was working for Mr. Page,  
5 he was not -- is that the same as Mr. Buchanan was not, or  
6 the same as the people in his section were not?

7           A     I think I said Mr. Buchanan was not.

8           Q     Do you know what he was doing when he  
9 worked for Mr. Page?

10          A     Whatever Mr. Page directed him to do.

11          Q     How do you know he was not involved in the  
12 planning process, then?

13          A     He was not involved in the planning process  
14 which I had jurisdiction of.

15          Q     Did Mr. Page have any jurisdiction over the  
16 planning process?

17          A     Jurisdiction?

18          Q     Using that term, did Mr. Page have any  
19 jurisdiction in any aspects of the planning process?

20          A     During this time period that Mr. Smith  
21 controlled the final results of our planning, made the  
22 final determination, we were in the process of getting  
23 involved in engineering, planning section, it involved Mr.  
24 Keck, K-e-c-k, who was involved in the planning department,  
25 it involved Mr. Coombs in charge of the rate department,



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Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 8/25/81, Tr. 85-99, 112-113.

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA.

DOCUMENT 17

GAINESVILLE REGIONAL UTILITIES, etc.,

Plaintiffs,

vs.

FLORIDA POWER & LIGHT COMPANY,

Defendant..

:  
: 79-5101 CIV-JLK  
:

-----:

DEPOSITION OF ERNEST L. BIVANS, taken  
pursuant to Notice, held at the Offices of Florida  
Power and Light Company, 9650 W. Flagler Street,  
Miami, Florida, on August 25, 1981, commencing at or  
about 10:05 o'clock, a.m., before MARTIN B. LESHAW,  
Official Court Reporter and Notary Public for the  
State of Florida.

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1 Q When you say "our," do you mean members of  
2 the Florida Operating Committee or Florida Power & Light?

3 A I'm talking about the members of the  
4 Florida Operating Committee, for the State of Florida.

5 Q Why should that have been kept confidential?

6 A I don't know why.

7 MR. GUTTMAN: I will offer this as Bivans  
8 Exhibit 8 for Identification.

9 (Thereupon, the document referred to  
10 was marked as Bivans Exhibit No.  
11 8 for Identification.)

12 MR. GUTTMAN: Bivans Exhibit 8 for Identifica-  
13 tion is three pages which appear to be the 45th meeting  
14 of the Florida Operating Committee, dated May 15, 1969,  
15 and they bear the notation, "M45-69," in the upper right-  
16 hand corner, May 19, 1969.

17 Q Can you tell whether you were at the 45th  
18 meeting, as a result of looking at this document?

19 A According to the minutes, I was not there.

20 Q Other than as indicated in the minutes, is  
21 there any reason why you have reason to believe that you  
22 were at the meeting?

23 A No.

24 Q Is that your handwriting in the right-hand  
25 corner of the first page?

1           A     It's not my handwriting, and I can't read  
2 it.

3           Q     Do you recall whether you received the  
4 minutes of this meeting?

5           A     No.

6           Q     No, you don't recall, or no, you did not  
7 receive them?

8           A     I don't recall whether I saw them or not.

9           Q     Could you look at item 6 on the second page.

10          A     Yes.

11          Q     There is a reference to loss of Port  
12 Everglades plant report, and do you know of such a report?

13          A     Yes.

14          Q     Was it prepared by you in any way?

15          A     No.

16          Q     Are you familiar with the report?

17          A     Well, not as well now as I was then.

18          Q     The item indicates that the report bears a  
19 notation that it's confidential. Do you know whether, in  
20 fact, the report was distributed on a confidential basis?

21          A     I think the record speaks there for itself.  
22 Since I was not at that meeting, I don't know on what  
23 basis the report was distributed.

24          Q     Item 7 therein refers to a statement  
25 concerning regional organization. Do you recall any

1 proposal by Florida Power Corporation of a statement  
2 concerning regional organization?

3 A I'm not familiar with it.

4 Q Do you recall whether any Florida Operating  
5 Committee members expressed concern about the exclusion of  
6 any smaller concerns --

7 MR. BOUKNIGHT: I object to the characteriza-  
8 tion. There is no basis for your statement that there was  
9 an exclusion.

10 MR. GUTTMAN: I'm not asking that.

11 Q I'm asking if you recall whether anybody  
12 expressed concern about exclusion.

13 A As far as I was concerned, there was no  
14 record or discussion about anybody being excluded.

15 Q If there was a discussion, would you have  
16 known about it?

17 A Not necessarily.

18 Q Why is that?

19 A It depends on whether or not I was at the  
20 meeting or not.

21 Q Would all discussions have taken place at  
22 meetings, as opposed to outside the meetings, or -- was  
23 there any time when people spoke about things from time to  
24 time outside of the meeting?

25 A I'm sure there were times when members of

1 the Florida Operating Committee met at meetings other than  
2 at committee meetings.

3 Q Do you recall Mr. Horace Hebb?

4 A Yes.

5 Q Was he involved with the Florida Operating  
6 Committee during the 1960's?

7 A Yes.

8 Q What was his involvement, the nature of his  
9 involvement? That is, what was the nature of his involve-  
10 ment as you recall it?

11 A Well, it depends on what point in time you  
12 are referring to.

13 Q The late 1960's.

14 A In the late 1960's he was the vice president  
15 of Florida Power Corporation. His responsibilities were  
16 engineering and system planning.

17 Q Do you recall Mr. Hebb ever expressing any  
18 concerns about the exclusion of the smaller electric  
19 systems from the Florida Operating Committee?

20 MR. BOUKNIGHT: I have the same objection.  
21 The phraseology of that question assumes there has been  
22 some exclusion.

23 MR. GUTTMAN: Not necessarily.

24 Q Could you answer the question, please.

25 A I have had no conversation, or been present

1 in any ~~discussion~~ conversation, which has expressed any such concerns.

2           Q       What about letters, memos, written  
3 ~~communications~~ communications.

4           A       I don't know.

5           Q       If there had been any written communications,  
6 would you have been aware of them?

7           A       Not unless they were written to me or sent  
8 copies to me.

9           Q       If copies were sent to Mr. Page or Mr.  
10 Street or Mr. Fite, would you have routinely have gotten  
11 them; do you know?

12          A       Not necessarily.

13          Q       During the late 1960's do you recall Mr.  
14 Hebb ever expressing concerns about the adequacy of the  
15 coordination activities of the Florida Operating Committee?

16          A       Concern about the adequacies?

17          Q       About whether the Florida Operating Committee  
18 was doing enough to maximize economies and to jointly --

19          A       I don't recall any.

20          Q       Do you recall Mr. Hebb or any Florida Power  
21 Corporation person ever expressing any concern about  
22 Florida Power & Light's lack of willingness to increase the  
23 amount of coordination among members of the Florida  
24 Operating Committee?

25                   MR. BOUKNIGHT: Objection. Unless you

1 rephrase that question to take out the implication that,  
2 as a matter of fact, there was such a lack of willingness  
3 on the part of Florida Power & Light, then I will advise  
4 him not to answer.

5 MR. GUTTMAN: Are you directing him not to  
6 answer?

7 MR. BOUKNIGHT: Unless you rephrase the  
8 question, yes.

9 MR. GUTTMAN: Certify it.

10 I think it's evident that a statement may  
11 have or may have not been made is different than whether  
12 or not the statement was phrased.

13 MR. BOUKNIGHT: You can ask that question  
14 properly. You did not do so.

15 MR. GUTTMAN: I thought I did. I'll  
16 rephrase it.

17 Q Did Mr. Hebb, to your knowledge, ever state  
18 that, to his belief, Florida Power & Light was not willing  
19 to undertake the degree of coordination, joint generation  
20 activities, joint planning, that Mr. Hebb felt would be  
21 beneficial?

22 A I do not remember.

23 Q When you say you don't remember, during the  
24 course of preparing for your affidavit, did you try to  
25 review communications among the members of the Florida



1 Operating Committee during the 1960's?

2 A No.

3 MR. GUTTMAN: I would like to offer as  
4 Bivans Exhibit 9 for Identification a three-page document  
5 dated February 12, 1969, on Florida Power Corporation  
6 inter-office correspondence letterhead, from M. F. Hebb,  
7 Jr., to A. P. Perez, regarding lack of coordination  
8 between utilities in Florida.

9 (Thereupon, the document referred  
10 to was marked as Bivans Exhibit  
11 No. 9 for Identification.)

12 Q Do you recall ever having seen this before?

13 A To my knowledge, no.

14 Q Do you now recall whether Florida Power  
15 Corporation or Mr. Hebb ever told Florida Power & Light  
16 that it was concerned about the exclusion of --

17 A This is a document of Florida Power  
18 Corporation, apparently directed to A. P. Perez by Morris  
19 Hebb. No copy is indicated to anybody else, either in or  
20 out of Florida Power Corporation.

21 Q Is the handwriting familiar to you?

22 A That's not my handwriting.

23 Q I take it you are not familiar with it  
24 otherwise?

25 A I have no idea.

1 Q Would Florida Power & Light likely have  
2 gotten a copy of this memo at the time?

3 MR. BOUKNIGHT: Objection. There is no  
4 basis of that.

5 You don't have to speculate. You can  
6 testify as to what you know, Mr. Bivans.

7 A I have never seen this document before.

8 Q If Florida Power & Light had gotten it,  
9 would you have seen it?

10 A I said I have never seen it before.

11 Q I guess the gist of my question is, in the  
12 affidavit to NRC, you were closely involved with the  
13 activities of the Florida Operating Committee. My question  
14 is, if such a document like this came to Florida Power &  
15 Light, would you have seen it?

16 A If it was sent to me, I would have seen it.

17 Q If they sent it to Mr. Page or Mr. Fite --

18 A Very probably I would not have seen it.

19 Q Why do you say it's probable that you would  
20 not have seen it?

21 A Because Mr. Page specifically got a lot of  
22 correspondence which I was not copied.

23 Q What about Mr. Fite?

24 A The same.

25 Q What about if it had gone to Mr. Street?

1           A     If it had gone to Mr. Street, I would have  
2 probably have seen it.

3           Q     Do you recall Mr. Simonds, S-i-m-o-n-d-s,  
4 in connection with the Florida Operating Committee during  
5 the 1960's?

6           A     Yes.

7           Q     Could you tell me what his relation to the  
8 Florida Operating Committee was during the 1960's?

9           A     He worked for the Florida Power Corporation.

10          Q     Did he work on the Florida Operating  
11 Committee, for Florida Power Corporation?

12          A     It's possible.

13          Q     You can look, if you are looking for some  
14 paper.

15          A     No.

16          Q     Do you recall right now?

17          A     No.

18          Q     Was he in power supply or system planning  
19 or what, if you recall?

20          A     I believe he was the chief load dispatcher  
21 or system operator for Florida Power Corporation.

22                MR. GUTTMAN: I will offer this as Bivans  
23 Exhibit 10 for Identification.

1 (Thereupon, the document referred  
2 to was marked as Bivans Exhibit  
3 No. 10 for Identification.)

4 MR. GUTTMAN: I would like to identify, for  
5 the record, Bivans Exhibit 10 for Identification, a series  
6 of documents which I represent were received in the Vero  
7 Beach discovery, number 213152 through 213169, and they  
8 consist of a cover page with handwriting and the typed  
9 notation, "W. B. Simonds, Florida Power Corporation,  
10 November 7, 1968, See 1-6-69 BHF memo," and a one-page  
11 memo signed by BHF, evidently to Mr. Fullerton, and  
12 perhaps to Mr. Fite, but that is not quite clear, because  
13 of the Xeroxing; a two-page letter with an apparent three-  
14 page attachment dated November 7, 1968, from the Florida  
15 Power Corporation to the members of the Florida Operating  
16 Committee; excerpts, or actually a complete seven-page  
17 copy of the Federal Power Commission, No. 550-A, and a  
18 copy of the three-page memo which has been just discussed  
19 as Bivans Exhibit 9 for Identification.

20 I would like to ask Mr. Bivans if he recalls  
21 seeing these, after he has had a chance to see it. First,  
22 refer to the first two pages.

23 THE WITNESS: I'm having difficulty trying  
24 to read it.

25 Q Are you familiar with the handwriting at all?

1 A No. Who is the first page purported to be  
2 from?

3 Q That I could surmise, but I would not suggest  
4 that I know for a fact. That's why I'm asking you if you  
5 recall it.

6 I see initials at the bottom which appear  
7 to be, perhaps, an "R," but I'm not sure.

8 Do you recall seeing the first two pages  
9 previously?

10 A No.

11 Q Do you recall seeing the November 7, 1968,  
12 letter to the members of the Florida Operating Committee  
13 from Mr. Simonds?

14 A No.

15 Q Would you look at page 213153. That is the  
16 second page of the whole package.

17 A You are referring to the attachment?

18 MR. BOUKNIGHT: I think he's trying to refer  
19 to this page.

20 A What's the question?

21 Q First, I see a "PO" in the upper left-hand  
22 corner. Have you ever seen that before and do you know  
23 what that marking means, "PO"?

24 A No.

25 Q Do you know who "BHF" may have been?

1           A     Well, there was a B. H. Fuqua from the  
2 company at that time.

3           Q     Are you familiar with the handwriting of  
4 what appears to be some kind of signature under the "BHF,"  
5 as discussed with Mr. Page? Do you know whose handwriting  
6 that could have been?

7           A     No.

8           Q     Look at the middle paragraph of that memo.  
9 Do you know whether, in late 1968 or early 1969, Florida  
10 Operating Committee took up the question of admission of  
11 membership of REA coops and some of the smaller municipalities

12          A     When?

13          Q     Assuming that this package is all related,  
14 it indicates that there was a suggestion that that be taken  
15 up in early 1969, at the next meeting of the Florida  
16 Operating Committee.

17          A     You are talking about this memoranda  
18 addressed to somebody--

19          Q     Yes. BHF says "attached is a memorandum,"  
20 which "refers to the Gainesville matter, and suggests that  
21 the Florida Operating Committee take up ... the admission  
22 of membership" to others.

23                   Do you know whether they took up that  
24 subject in 1969?

25          A     Well, I'm assuming that the memorandum that

1 he refers to is the one letter written by Simonds dated  
2 November 7, 1968. Now, the question is what, now?

3 Q Whether or not, putting that assumption  
4 aside, do you know independently from the documents, do you  
5 know whether or not, in or about late 1968 or early 1969,  
6 the Florida Operating Committee took up the question of  
7 admission of membership of REA coops and small  
8 municipal systems?

9 A Took it up where?

10 Q In the Florida Operating Committee meeting.

11 A I don't remember any such discussion.

12 Q Do you know whether Mr. Page discussed with  
13 any other Florida Power & Light officials the subject of  
14 increasing the membership of the Florida Operating Committee,  
15 in or about late 1968 or early 1969?

16 A If you will excuse me --

17 Q Sure. Take your time.

18 A You also have this same exhibit, that Perez  
19 attached to this document here.

20 Q That's right.

21 A Is that part of this document?

22 Q All I can tell you is, we received this from  
23 Florida Power & Light, which is indicated by the numbers  
24 at the top of the page.

25 MR. BOUKNIGHT: You are just saying that you

1 received it. You are not saying that you received it as  
2 part of this.

3 MR. GUTTMAN: I'm saying that I received it  
4 as part of the sequence.

5 A This can't be. This is dated, the memo,  
6 February 12, 1969. The assignment is dated November 1968.  
7 I don't know what the date is on the BHF memo. This  
8 handwritten note is dated 1-6-69.

9 So all of these precede the head memorandum.  
10 So as far as dates are concerned, I don't see how they can  
11 be part of the same document.

12 Q Assuming that, as indicated, that BHF memo  
13 is 1-6-69, do you know at or around January 1969 if there was  
14 an executive-level discussion of the type BHF apparently  
15 suggested to Mr. Page concerning the admission of REA  
16 cooperatives and small municipal systems to the Florida  
17 Operating Committee?

18 A Not that I can remember.

19 Q Could you look at the 213156 attachment,  
20 the paper marked "attachment." The next page, the suggestion  
21 for restructuring the Florida Operating Committee. Do you  
22 recall seeing this previously?

23 A No.

24 Q Do you know whether any suggestions were  
25 made for restructuring the Florida Operating Committee by



1 Florida Power & Light in 1969, or early 1969 or late 1968?

2 A Repeat that.

3 Q Do you know whether, in late 1968 or early  
4 1969, Florida Power & Light made any suggestions for  
5 restructuring the Florida Operating Committee?

6 A I don't know of any. Look at the next to  
7 the last paragraph of this last page.

8 Q Other than that, you don't recall, though?

9 MR. BOUKNIGHT: Again, I would note that the  
10 final three pages of this exhibit, as pointed out to you,  
11 don't appear to have any relationship to the first pages  
12 of the exhibit, and again I would suggest that you have the  
13 responsibility to let us know when you put these pages  
14 together.

15 MR. GUTTMAN: I have. This is exactly what  
16 we're talking about. This came, as presented to Mr. Bivans,  
17 in the company's presentation to us.

18 MR. BOUKNIGHT: You seem to have a very  
19 basic misunderstanding. Are you suggesting to me that  
20 these documents came from the company stapled together?

21 MR. GUTTMAN: Bound -- I'm not sure whether  
22 they were bound or stapled in a box. Note the discovery  
23 numbers.

24 MR. BOUKNIGHT: It doesn't matter about the  
25 discovery numbers. It doesn't matter as to a hill of beans

1 A No.

2 Q Do you know of any reason why you would not  
3 have been a member?

4 A Well, there was a time that EEI was promoting  
5 electric space heating and Florida Power & Light was  
6 promoting oil heating, and we were very much against  
7 promoting space heating.

8 That was the reason that I knew of, the only  
9 reason, at the time, that we did not belong to EEI.

10 MR. GUTTMAN: Let's take a short recess.

11 (A brief recess was taken.)

12 MR. GUTTMAN: I will offer this as Bivans  
13 Exhibit 11 for Identification.

14 (Thereupon, the document referred  
15 to was marked as Bivans Exhibit  
16 No. 11 for Identification.)

17 MR. GUTTMAN: This is two pages entitled,  
18 "Statement Concerning Regional Organization," and appears  
19 to be a partially chopped-off statement at the top, draft,  
20 Vero Beach discovery number 203882 and 203883. I don't  
21 know whether there was a final version or not. That's part  
22 of the question here.

23 Q The initial question is, after you have had  
24 a chance to look at it, tell me if you recall having seen  
25 this document previously.

1 Do you recall whether you have seen these  
2 two pages before?

3 A I don't recall it per se. I may have.

4 Q Do you know whether this draft, or a similar  
5 draft, was ever discussed at a Florida Operating Committee  
6 meeting; was there ever any discussion about the regional  
7 organization?

8 A I don't remember. I'm not sure what the  
9 statement "regional organization" means.

10 Q Looking at Bivans Exhibit 8 for Identification  
11 page two, item 7, which also refers to a statement  
12 concerning regional organization, do you recall any  
13 discussions of the statement "regional organization" in the  
14 Florida Operating Committee?

15 A No. You asked me that question before. I  
16 was not at that meeting. I still don't know.

17 MR. GUTTMAN: I will offer this as Bivans  
18 Exhibit 12 for Identification.

19 (Thereupon, the document referred  
20 to was marked as Bivans Exhibit  
21 No. 12 for Identification.)

22 MR. GUTTMAN: I would like to identify  
23 Bivans Exhibit 12 for Identification, a one-page letter  
24 from Louis H. Winnard, Jacksonville Electric Authority, to  
25 Mr. Harry Luff, Assistant Director, Orlando Utilities

18

Page 1 of Exhibit \_\_\_\_\_ (EJT-2), submitted with Florida Power & Light Co.'s July 1981 wholesale rate filing, FERC Docket No. ER81-588-00.

EXHIBIT (EJT-2)  
Statement BC  
Period I  
Page 1 of 9

FLORIDA POWER & LIGHT COMPANY AND SUBSIDIARIES

1 Generation Reliability

2 A public utility must make every effort to provide sufficient capacity to meet the  
3 load imposed on its system and assure the reliability of the power supply. For planning  
4 purposes, FPL utilizes both "reserve margin" and "Loss of Load Probability" (LOLP), as  
5 measuring indices of reliability. Reserve margin is defined as the amount of installed  
6 generating capacity over and above the forecasted load level. This value is normally  
7 expressed as a percent of the annual peak demand. The LOLP is a probabilistic index that  
8 represents the expectation of having insufficient generating capacity available to serve  
9 the load. This number is usually expressed in terms of "days per year" that the load  
10 cannot be served. It should be noted that these indices are not independent of one  
11 another, because as the reserve margins increase, the LOLP decreases, and conversely, as  
12 the reserve margin decreases the LOLP increases.

13  
14 FPL currently and in the past four years has used a reserve margin of 20-25% as a  
15 guideline for generation planning purposes. If the reserve falls below this level, the risk  
16 of service interruptions increases to unacceptable levels. Consequently, additional  
17 generating resources must be installed or purchased to restore reserves to acceptable  
18 levels.

19  
20 Interconnections are also considered in determining generation reliability since they  
21 have the same effect as increasing the amount of generation available to a company.  
22 Florida Power & Light Company is interconnected with nine other generating electric  
23 systems of the Florida Electric Power Coordinating Group, Inc. through electrical  
24 transmission lines. Because of these interconnections, Florida Power & Light Company  
25 has been able to maintain lower generating reserves while at the same time maintaining  
26 an equivalent level of reliability for its customers. In addition, FPL has been  
27 interconnected with Georgia Power since December 1979, thus adding support to FPL's  
28 system.

29

30

*Not offered as  
part of ER 81-588-00*

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Florida Power & Light Company )

Docket No. ER 81-588-00

NOTICE OF FILING

Take notice that Florida Power & Light Company (FPL) tendered for filing on July 2, 1981, the following tariff sheets as part of its FPC Electric Tariff, Original Volume No. 1 applicable to six municipal customers and seven rural electric cooperatives: Seventh Revised Sheet No. 5, Fifth Revised Sheet No. 6, Fifth Revised Sheet No. 7, Fifth Revised Sheet No. 8, and Fifth Revised Sheet No. 9 and First Revised Sheet No. 9A.

FPL also tendered for filing First Revised Sheet Nos. 4, 5 and 6 to the Florida Power & Light Company Interchange Transmission Service Tariff With Interchange Transmission Service Rate Schedule Implementing Specific Transactions Under Service Schedules A (Emergency Service), B (Short Term Firm Service), C (Economy Interchange Service), and D (Firm Service).

FPL also tendered for filing the following: Proposed Amendment No. 2 to the November 19, 1979 Agreement to Provide Specified Firm Power Electric Service between Florida Power & Light Company and Seminole Electric Cooperative, Inc.; Proposed Amendment No. 1 to Agreement to Provide Specified Transmission Service Between Florida Power & Light Company and the Utilities Commission of the City of New Smyrna Beach, Florida, executed on January 28, 1977; and Proposed Amendment No. 2 to the Contract Between Florida Power & Light Company and Jacksonville Electric Authority for Transmission of Power and Energy in the Implementation of the Power Sale Agreement Between Jacksonville Electric Authority and Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company; and Southern Company Services, Inc., executed February 14, 1980.

FPL proposes to place the revised tariff sheets and amendments into effect on September 1, 1981, although the Company will voluntarily defer implementation until January 1, 1982. Additionally, FPL requests inclusion of CWIP in rate base pursuant to Section 2.16(b) of the Commission's regulations. FPL asserts that it is in financial distress and that it requires relief from additional CWIP in rate base. FPL states that without rate relief its earnings show a negative rate of return and will not cover dividend obligations. All of the above-listed rate schedules and contract amendments are also being filed with rates that reflect the inclusion of additional construction work in progress in the rate base. FPL requests an expedited hearing on the CWIP issue.

FPL states that the proposed rates would increase revenues from wholesale sales by approximately \$49 million with CWIP in rate base for the 12 month period ending September 30, 1982, and approximately \$39 million without CWIP in rate base.

FPL is also requesting a waiver under Section 35.14(10) of the Commission's Regulations to include certain capacity costs in purchased power in its wholesale fuel adjustment clause.

According to FPL, appropriate portions of this filing have been served upon FPL's wholesale customers and the Florida Public Service Commission.

Any person desiring to be heard or to make any protest with reference to said filings should on or before \_\_\_\_\_ 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.3 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb  
Secretary

ATTESTATION

To the best of my knowledge, information and belief, the cost of service statements and supporting data submitted herein are true, accurate and current representations of Florida Power & Light Company's books and other corporate documents.

*A. J. Mierisch*

A. J. Mierisch  
Assistant Comptroller

Subscribed and sworn to me this 1st  
day of July, 1981, at Miami,  
Florida, Dade County, Florida.

*Heidi D. Nielsen Roca*  
Notary Public, State of Florida at Large

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES FEB 5 1985  
BONDED THRU GENERAL INS. UNDERWRITERS



19

"Florida Power & Light Company, Construction Budget, Year 1956," prepared 2/6/65, presented at Directors' meeting, 2/13/56.

PRESENTED AT DIRECTORS MEETING 2-13-56

RHF EXHIBIT NO. 61

DOCUMENT 19

FLORIDA POWER & LIGHT COMPANY  
CONSTRUCTION BUDGET  
YEAR 1956

2-6-56

There are  
detail sheets  
on these items  
following the  
summary.

1490

Substation -  
Washing house strike delayed  
many jobs which will be finished  
this year -

Line in service  
Switching equip  
at Canal Reef Yard  
not complete.

NE Yard - Malboone yard -  
W.P. Northyard - Imp -  
to Bradenton Yard - Misc  
Small items

FLORIDA POWER & LIGHT COMPANY

CONSTRUCTION PROJECTS		TOTAL CONSTRUCTION COSTS			
TITLE	ITEM NO.	BEFORE YEAR	BEFORE YEAR	AFTER YEAR	TOTAL FOR PROJECT
<b>PROPOSED NEW PROJECTS</b>					
Production Plant - Miscellaneous	1		275,000		275,000
Little River-Biscayne-Greynolds 69 Kv Line	2		435,000	50,000	485,000
Sanford-Cocoa & Sanford-DeLand - Acquire Rights-of-way	3		75,000	100,000	175,000
Bovnton-Delray-Boon Rason 69 Kv Lines	4		50,000	350,000	400,000
Reconductor 69 Kv Lines out of Leuderdaie Plant	5		150,000	310,000	460,000
Economic Generation Computer-Controller	6		5,000	95,000	100,000
Miami-Miami Beach 69 Kv Cable	7		150,000	1,150,000	1,300,000
Ft. Myers-Tampa 138 Kv Line	8		2,750,000	400,000	3,150,000
Transmission Plant - Miscellaneous	9		1,482,000		1,482,000
State - Distribution Substations	10		1,490,000	710,000	2,200,000
State - Distribution System Improvements	11		5,420,000		5,420,000
State - Revenue Blanket (Stat. S. T. Lines)	12		13,210,000		13,210,000
General Plant - Miscellaneous	13		1,002,000	65,000	1,067,000
Gas Department	14		260,000		260,000
<b>Sub-total</b>			<b>26,754,000</b>	<b>3,230,000</b>	<b>29,984,000</b>
<b>PROJECTS PREVIOUSLY AUTHORIZED</b>					
Cutler Plant - 1955-150,000 Kw Ext.	20	12,872,000	228,000		13,100,000
Palatka Plant - 1956-87,000 Kw Ext.	21	6,353,000	3,997,000		10,350,000
Leuderdaie Plant - 1957-165,000 Kw Ext.	22	1,239,000	8,000,000	6,761,000	16,000,000
Leuderdaie Plant - 1958-165,000 Kw Ext.	23	156,000	600,000	13,344,000	14,100,000
Port Everglades Tie Lines - Acquire R/W	24	265,000	435,000		700,000
Garden 69 Kv Tap Line	25	76,000	48,000		120,000
Hollywood-Hallandale-Greynolds 69 Kv Line	26	139,000	531,000		670,000
Palatka plant-Bunnell 115 Kv Line	27	159,000	591,000		750,000
Keys REA 69 Kv Line	28	14,000	276,000		290,000
Palatka-Green Cove Springs - Acquire R/W	29	35,000	75,000		110,000
Homestead Air Base 69 Kv Tap Line	30	75,000	135,000		210,000
Tombago Isles 69 Kv Tap Line	31		20,000	80,000	100,000
Broward Substation Site & Transmission Lines R/W	32	1,000	134,000		135,000
Transmission Plant - Miscellaneous	33	631,000	110,000		741,000
State - Distribution Substations	34	1,660,000	970,000		2,630,000
General Plant - Miscellaneous	35	242,000	498,000	151,000	891,000
<b>Sub-total</b>		<b>22,365,000</b>	<b>16,746,000</b>	<b>20,336,000</b>	<b>59,447,000</b>
<b>GRAND TOTAL</b>			<b>22,365,000</b>	<b>43,500,000</b>	<b>23,566,000</b>
<b>SUMMARY BY PLANT ACCOUNTS</b>					
Production Plant		19,070,000	13,100,000	20,105,000	52,275,000
Transmission Plant		1,393,000	7,550,000	2,335,000	11,278,000
Distribution Plant		1,660,000	21,090,000	710,000	23,460,000
General Plant		242,000	1,500,000	216,000	1,958,000
Gas Plant			260,000		260,000
<b>GRAND TOTAL</b>		<b>22,365,000</b>	<b>43,500,000</b>	<b>23,566,000</b>	<b>89,431,000</b>

PROPOSED NEW PROJECTSComparison of 1955 and 1956 Costs - Miscellaneous

<u>Item</u>	<u>1955 Book Cost</u>	<u>Estimated 1956 Costs</u>
1 - Production Plant - Miscellaneous	\$ 233,000	\$ 275,000
9 - Transmission - Miscellaneous	1,211,000	1,482,000
10 - State - Distribution Substations	1,517,000	1,490,000
11 - State - Distribution System Improvements	4,273,000	3,420,000
12 - State - Revenue Blankets	14,465,000	13,210,000
13 - General Plant - Miscellaneous	912,000	1,002,000
14 - Gas Department	202,000	260,000
Total	\$22,713,000	\$23,139,000

PROJECTS PREVIOUSLY AUTHORIZEDSummary of Increase or Decrease from Authorized Amounts

<u>Item No.</u>	<u>Title</u>	<u>Authorized Amount</u>	<u>Present Estimate</u>
20	Cutler Plant - 1955-150,000 Kw Extension	\$14,700,000	\$13,100,000 Note 1
21	Palatka Plant - 1956-87,000 Kw Extension	9,000,000	8,800,000 Note 2
22	Lauderdale Plant - 1957-165,000 Kw Extension	17,000,000	16,000,000 Note 3
24	Port Everglades Tie Lines - Acquire R/W	600,000	700,000 Note 4
26	Hollywood-Balldale-Gwynolds 69 Kw Line	580,000	770,000 Note 5
27	Palatka Plant-Bumell 115 Kw Line	800,000	750,000 Note 6
28	Keys EEA 69 Kw Line	250,000	290,000 Note 7
29	Palatka-Green Cove Springs - Acquire R/W	75,000	110,000 Note 8
32	Broward Substation Site & Transmission Lines R/W	60,000	133,000 Note 9

Note 1 - The decrease is based on actual costs to date, plus a more detailed cost estimate for the remaining clean-up work.

Note 2 - The decrease is based on actual costs to date, plus more detailed cost estimates for the remaining work.

Note 3 - The decrease is based on a later and more detailed cost estimate.

Note 4 - This increase is due to the higher costs of rights-of-way due to rapidly rising real estate values.

Note 5 - This increase is due to a change of the bussing point from Fulford to Gwynolds in order to provide a firm power supply to the adjacent Interstate soon to be constructed.

Note 6 - This decrease is based on a later and more detailed cost estimate.

Note 7 - This increase is due to a two mile increase in the length of the line caused by rights-of-way difficulties.

Note 8 - This increase is caused by higher land values and other difficulties requiring a longer route.

Note 9 - This increase is necessitated by the additional width of rights-of-way required and the rising real estate values.

CONSTRUCTION BUDGET ITEM NO. 1  
 CONSTRUCTION COST IN BUDGET YEAR : 275,000  
 TOTAL CONSTRUCTION COST : 275,000  
 BIDS COST OF PROJECT : 275,000

DATE WHEN TO BE STARTED: January 1956 TO BE COMPLETED: December 1956 Electric Department

ELECTRIC PRODUCTION PLANT - MISCELLANEOUS					
DETAILS OF ESTIMATES					
	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION		PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION
1	270,800		21	70,000	
2			22	250,800	
3	270,800		23		
4	8,000		24	74,200	
5	1,600		25		
6	275,000		26	275,000	
7			27		PRESENT ESTIMATE
8	275,000		28		
9			29		
10	275,000		30		
11			31		
12			32		
13	275,000		33		
14			34		41,250
15			35		(41,250)
16			36		
17			37		
18			38		
19			39		
20	275,000		40		
21			41		

**DESCRIPTION:**

Various miscellaneous projects which will be required during 1956 in the generating stations.

**PURPOSE AND NECESSITY:**

During 1955, \$233,000 was spent on items of a minor nature in the various generating stations on the system.

It is anticipated that \$275,000 will be required during 1956 to provide for miscellaneous projects in the generating stations.

PREPARED BY: J. G. RAUNK DATE PREPARED: 1/31/56

CONSTRUCTION COST IN BUDGET YEAR : 485,000  
 TOTAL CONSTRUCTION COST : 485,000  
 BOND COST OF PROJECT : 485,000

DATE WHEN TO BE STARTED JAN. 1956 TO BE COMPLETED MAR. 1957 ELECTRIC DEPARTMENT

LITTLE RIVER - BISCAYNE - GREYNOIDS 69 KV LINE		DETAILED ESTIMATES	
	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION	PRESENT ESTIMATE
11	Cost primary address used removed	485,000	
21	Increase station construction		
31	Total primary address	485,000	
41	Revised cost	2,000	
51	Subtotal	2,000	
61	Total Construction Cost (2+4+5)	485,000	
71	Subtotal		
81	Total Charges Budgeted for This Item (2+7)	485,000	
91	Station and equipment to same station		
101	BOND COST OF PROJECT (2+7)	485,000	
111	Cost Ref'd to Budget Year for Maintenance		
121	Construction - Prior to budget year		
131	Construction - In budget year	475,000	
141	Construction - After budget yr. (2 - 12 - 13)	50,000	
151	Subtotal - Prior to budget year		
161	Subtotal - In budget year		
171	Subtotal - After budget yr. (7 - 15 - 16)		
181	Construction - Budget Year - Cont.		
191	Revised Transmittal - In		
201	Revised Transmittal - Out		
211	CASH REQ'D FOR CONG. (12 - 13 - 14) (2)	475,000	
221	Cost Ref'd to Budget Year for Maintenance		
231	Present estimate		
241	For primary address (2 - 12)	481,000	
251	For total of estimated items (2+4+5)	4,000	
261	Subtotal		
271	TOTAL CHANGES (24 - 25 + 26)	485,000	
281	Annual interest on bond		
291	Percent of gross cost (28 + 10)		
301	Annual savings in operation & taxes		
311	Percent of gross cost (29 + 10)		
321	For annual savings after allowing for station losses (28 - 29) x 5 according schedule (2)		
331	Reserved for reserves & interest 1.6% of 10		67,900
341	Balance for reserve on special investment (32 - 28)		(67,900)
351			
361			
371			
381			
391			
401			
411			

**DESCRIPTION**  
 Construct 4.98 miles of single circuit 69 kv line between Biscayne Substation and Greyhounds Substation, 3.13 miles of double circuit and 0.78 miles of single circuit 69 kv line between Little River Substation and Biscayne Substation. Install necessary terminal facilities at Greyhounds and Little River Substations.

**PURPOSE AND NECESSITY**  
 This project will provide a third 69 kv circuit into the Little River Substation from the Lauderdale Plant via Hollywood-Hallandale-Greyhounds-Arch Creek-Biscayne-Little River Substations. It also provides an alternate power supply to Arch Creek Substation and greatly reduces the exposure of Biscayne Substation to transmission line outages.

Since the capability of the existing Lauderdale-Little River Circuits has to be increased in connection with the increased generation at Lauderdale Plant it is more economical to construct a new double circuit line from Little River Substation to Biscayne Substation by a different route and use the existing double circuit line section between the two substations as a single circuit, with the two circuits operating in parallel, as a link in the third Lauderdale-Little River circuit.

PREPARED BY R. H. TRIDGER DATE PREPARED 12/30/55

APPROVED

SHEEP ENGINEER

DATE REVISION BY DR. DATE APP.

FORM 1515, 1-54
DESIGNED BY
CHECKED BY
DRAWN BY
DATE
REVISION
BY
DATE
APP.



TO LAUDERDALE

TO HALLANDALE

GREYNOLDS

FULFORD

OPA LOCKA

BISCAYNE

ARCH CREEK

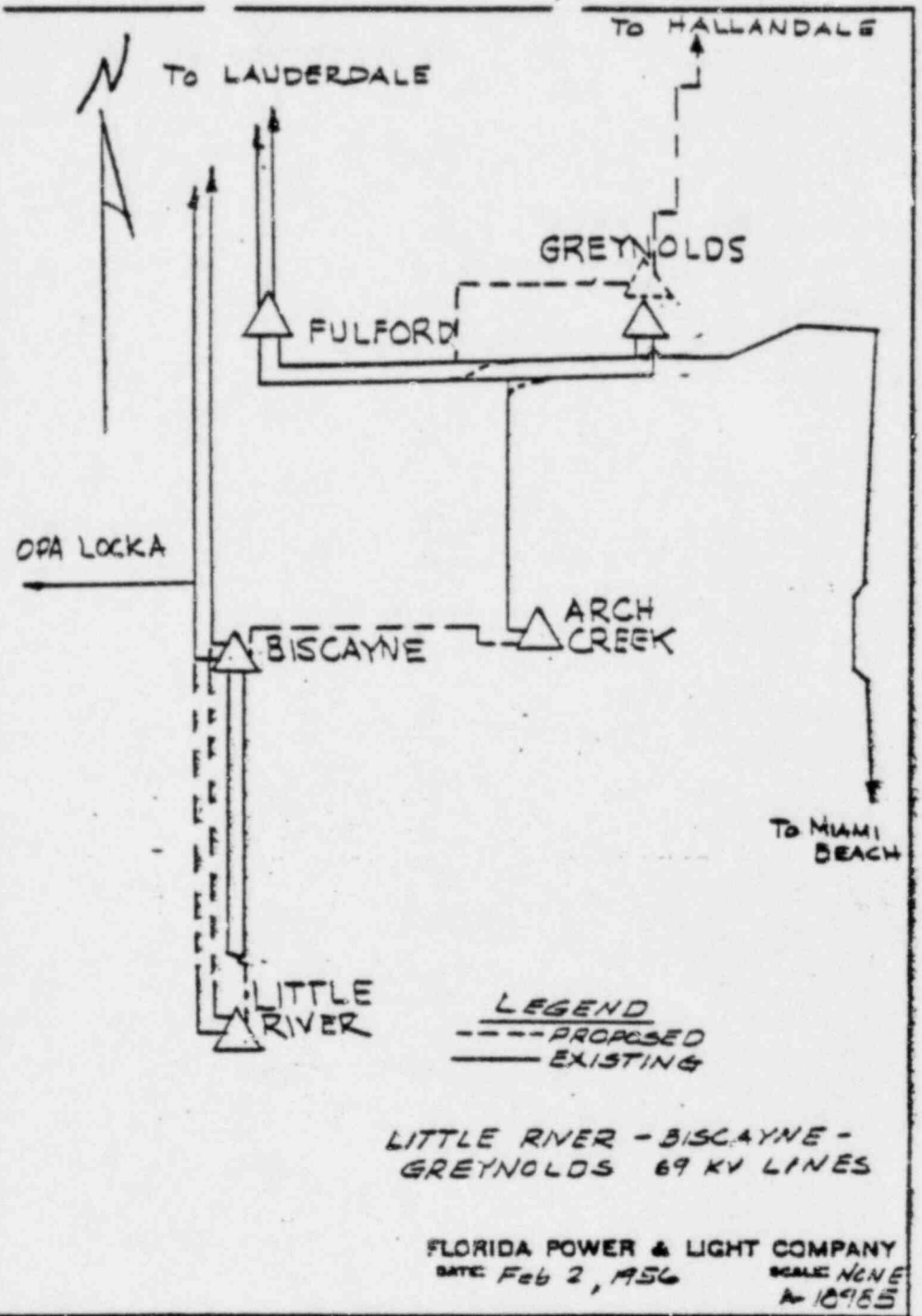
TO MIAMI BEACH

LITTLE RIVER

LEGEND  
- - - - - PROPOSED  
————— EXISTING

LITTLE RIVER - BISCAYNE - GREYNOLDS 69 KV LINES

FLORIDA POWER & LIGHT COMPANY  
DATE Feb 2, 1956  
SCALE NONE  
No. 109155





NSA CONSTRUCTION BUDGET FISCAL YEAR 1956  
 CONSTRUCTION COST IN BUDGET YEAR 1 175,000  
 TOTAL CONSTRUCTION COST 1 175,000  
 GROSS COST OF PROJECT 1 175,000

DATE WORK TO BE STARTED JAN. 1956 TO BE COMPLETED DEC. 1957 ELECTRIC DEPARTMENT

TITLE		DETAILED ESTIMATES			
SANFORD-COCCA AND SANFORD-DELAND, ACQUIRE RIGHTS-OF-WAY		PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION
11	Base project without land interest	175,000			
21	Land during construction				
31	Total project without	175,000		175,000	
41	Reserve cost				
51	Set-aside				
61	Total Construction Cost (2+4+5)	175,000		175,000	
71	Maintenance				PRESENT ESTIMATE
81	Total Charges Estimated for This Item (6+7)	175,000			
91	Interest and amortization in gross amount				
101	GROSS COST OF PROJECT (8+9)	175,000			
111	Add'l cost allocated to project if any				
121	Construction - Prior to budget year				
131	Construction - In budget year	75,000			
141	Construction - After budget year (12-13)	100,000			
151	Maintenance - Prior to budget year				
161	Maintenance - In budget year				
171	Maintenance - After budget year (15-16)				
181	Construction - Budget Year - Cont.				
191	Reserve - Prior to				
201	Reserve - In budget year				
211	Reserve - After budget year (19-20)				
221	Cost Allocated to Budget Year for Maintenance	75,000			
<p>DESCRIPTION</p> <p>Acquire necessary rights-of-way for future transmission lines between Sanford Plant and Cocoa and between Sanford Plant and Deland Substation.</p>					
<p>PURPOSE AND NECESSITY</p> <p>At about 1,200,000 KW system load level it will be necessary to provide greater transmission capacity between Deland and Cocoa.</p> <p>It is proposed to begin the acquisition of right-of-way between Sanford and Cocoa in 1956 due to the rising land values and continued development in this area, which would result in a longer route and more costly right-of-way in the future.</p> <p>It is also proposed to acquire the right-of-way for a new H-frame line between Sanford and Deland at the same time since both lines can occupy the same right-of-way for approximately seven miles out of Sanford.</p>					
(Classified as reserve of fund)					
PREPARED BY: E.H. TRIMMER			DATE PREPARED: 12/30/55		

CONSTRUCTION BUDGET ITEM NO. 4  
 CONSTRUCTION COST IN BUDGET YEAR : 50,000  
 TOTAL CONSTRUCTION COST : 400,000  
 GROSS COST OF PROJECT : 400,000

DATE WORK TO BE STARTED: May 1956 TO BE COMPLETED: December 1957 Electric Department

TITLE		EST. NO.	
BOYNTON-DELRAY BEACH-BOCA RATON 69 KV LINES			
DETAILED ESTIMATES			
	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION	
11 Gross primary additional load assumed	398,000		21 Primary requirements
12 Increase during construction			22 Net primary additional (2-21)
13 Total primary additional	398,000		23 Net total in subsequent years (2-4-2)
14 Material cost	2,000		24 Requirements
15 Salvage			25 TOTAL CHARGES (21 + 22 + 23)
16 Total Construction Cost (2-4-2)	400,000		400,000
17 Administration			
18 Total Charges Budgeted for This Year (2-5-5)	400,000		
19 Items not included in year budget			
20 GROSS COST OF PROJECT (2-5-5)	400,000		
21 Add'l cost allocated to expense of year			
22 Construction - Prior to budget year			
23 Construction - In budget year	50,000		
24 Construction - After budget year (2-12-12)	350,000		
25 Administration - Prior to budget year			
26 Administration - In budget year			
27 Administration - After budget year (2-12-12)			
28 Customer advances - Budget Year - Cash			
29 Revenue - Transferred - In			
30 Revenue - Transferred - Out			
31 CASH NEEDS FOR COSTS (2-12-12 + 24 - 25)	50,000		
32 Cash flow in Budget Year for Administration			
<p>DESCRIPTION</p> <p>Construct approximately 15 miles of single circuit 69 kv line between Boynton, Delray Beach and Boca Raton Substations.</p>			
<p>PURPOSE AND NECESSITY</p> <p>The estimated loads for the summer of 1957 at Boynton, Delray Beach and Boca Raton Substations are, respectively 5400, 3800 and 3200 kw.</p> <p>The Delray Beach and Boca Raton loads are fed from a single circuit tap off of the Landerdale-West Palm Beach 69 kv line, while the Boynton load is fed by a loop on a single pole line. A fault on any of these lines causes a complete power failure in the community served, creating very undesirable public relations as well as a loss in revenue.</p> <p>Due to the continued growth of these communities and the need for greater reliability of service, it is proposed to provide firm transmission capacity by joining the three substations with a 69 kv single circuit line, thus providing an alternate source of power for each community.</p> <p>Rising land values and continual development in this area make it highly desirable to obtain the necessary right-of-way for this line as soon as possible, with the construction of the line scheduled for 1957. <small>Continued on reverse of form.</small></p>			
PREPARED BY: E. H. TRIMMER		DATE PREPARED: 12/30/55	

1936 CONSTRUCTION BUDGET ITEM NO. 5  
 CONSTRUCTION COST IN BUDGET YEAR : 1,000,000  
 TOTAL CONSTRUCTION COST : 460,000  
 GROSS COST OF PROJECT : 460,000

DATE WHEN TO BE STARTED FEB. 1955 TO BE COMPLETED DEC. 1957 ELECTRIC DEPARTMENT

RECONDUCTOR 69 KV LINES OUT OF LAUDERDALE PLANT		DETAILED ESTIMATES	
	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION	PRESENT ESTIMATE
1 Base primary voltages (and increased)	505,000		
2 Interest during construction			
3 Total primary voltages	505,000		
4 Reciprocal cost	55,000		
5 Interest	100,000		
6 Total Construction Cost (3+4+5)	460,000		
7 Contingencies			
8 Total Changes Authorized for This Item (6+7)	460,000		
9 Interest and contingencies in gross amount			
10 GROSS COST OF PROJECT (8+9)	460,000		
11 Add 7% cost allowance in amount of cost			
12 Contingencies - Prior to budget year			
13 Contingencies - In budget year	150,000		
14 Contingencies - After budget yr. 13 - 13 - 13	310,000		
15 Subcontract - Prior to budget year			
16 Subcontract - In budget year			
17 Subcontract - After budget yr. 17 - 13 - 13			
18 Contingencies - Subcontract - Conting. Fee - Conting.			
19 Subcontract - Total - In			
20 Subcontract - Total - Out			
21 CASH AMT'S FOR CONTR. (13 - 13 - 13 - 20)	150,000		
22 Cash Amt's to Budget Year for construction			
23 Present estimate			
24 Present estimate			
25 Present estimate			
26 Present estimate			
27 Present estimate			
28 Present estimate			
29 Present estimate			
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100 Present estimate			

RECONDUCTOR the Lauderdale-Hollywood Line, Lauderdale-Pulford Double Circuit Line and Lauderdale-Ft. Lauderdale Circuits No. 1 and 2, a total of approximately 46 circuit miles, with 556,500 CM All Aluminum. Lines to be strengthened with intermediate poles and side guys.

REASON AND NECESSITY  
 The recent Long range Board Study on the AC Network Calculator, shows that by the 1958-59 winter season, with an estimated warm weather peak load of approximately 1,135,000 kw, the 69 kv lines south from the Lauderdale Plant will not have firm capacity. An outage of any one of the five 69 kv lines will cause one or more of the remaining lines to carry load considerably in excess of the thermal rating of the existing 2/0 copper conductors. At the same load the two 2/0 lines north from Lauderdale to Ft. Lauderdale Substation will not have firm capacity. An outage of either line will cause the remaining line to carry load in excess of the thermal rating of the existing 2/0 copper conductor.

It is proposed to start the reconductoring in 1956 with approximately 67% of the work carried over into 1957.

PREPARED BY R.H. TRACY DATE PREPARED 12/30/55

136 CONSTRUCTION BUDGET ITEM NO. \_\_\_\_\_  
 CONSTRUCTION COST IN BUDGET YEAR \$ 5,000  
 TOTAL CONSTRUCTION COST \$ 100,000  
 GROSS COST OF PROJECT \$ 100,000

DATE WORK TO BE STARTED JUNE 1956 TO BE COMPLETED DEC 1957 ELECTRIC DEPARTMENT

ECONOMIC GENERATION COMPUTER - CONTROLLER					
DETAILED ESTIMATES					
	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION		PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION
CONSTRUCTION	11 Basic project conditions (see notes)	100,000		21 Property construction	
	21 Interior wiring construction			22 Air pressure switches (3 - 28)	100,000
	22 Total exterior conditions	100,000		23 P.A. duct in instrument room (28-4-8)	
	44 Referred to:			24 Miscellaneous	
	21 Service			25 TOTAL CHANGES (21 + 22 + 23)	100,000
	44 Total Construction Cost (21 + 22)	100,000			
	21 Instruments				
	21 Total Change Requested for This Item (21 + 22)	100,000		26 Annual revenue added	
	21 Station and transmission in place (see notes)			27 Percent of gross year (28 + 18)	
	21 GROSS COST OF PROJECT (21 + 44)	100,000		28 Annual saving in revenues & losses	35,000
OPERATION & MAINTENANCE	21 Add'l cost distribution in system if use			29 Percent of gross year (28 + 18)	35
	31 Construction - Prior to budget year			30 The annual revenue after allowing for station saving (28 - 29) = 5 operating costs-35	35,000
	32 Construction - In budget year	5,000		31 Required for reserves & return ( 20 % of 18)	20,000
	33 Construction - After budget yr. (3 - 12 - 13)	95,000		32 Balance for return on investment (30 - 31)	15,000
	34 Maintenance - Prior to budget year				
	35 Maintenance - In budget year				
	36 Maintenance - After budget yr. (7 - 12 - 14)				
	37 Contingent estimate - Budget Year - Costs				
	38 Revisions Transferred - In				
	39 Revisions Transferred - Out				
CASH REQUIREMENTS	41 CASH REQ'D FOR CONSTR. (32 - 4 - 19 - 20)	5,000			
	42 Cash Req'd in Budget Year for Maintenance				

**RECOMMENDATION**

Install an economic dispatch computer-controller at System Dispatching Office to obtain more economical system operation.

**PURPOSE AND NECESSITY**

With the automatic load frequency control equipment presently installed in the load dispatching office, the use of a large number of precalculated dispatch curves or tables is required in order to obtain an economic dispatch under the many varied conditions encountered in the daily operation of our system. Even if it were possible to foresee all the combinations of operating conditions that might exist, it would be economically unfeasible to calculate such a large number of dispatch curves. Therefore, the dispatcher often has to interpolate between dispatch curves covering principal conditions in order to obtain a dispatch covering a given system condition. Such interpolations are inherently inaccurate and time-consuming.

An economic dispatch computer-controller would enable the dispatcher to keep the system in economic dispatch under all operating conditions since he would be able to set into the computer, as they occur on the system, the many variable factors including fuel oil price changes that affect some of the plants, that must be taken into consideration in order to obtain maximum economy. Furthermore, when natural gas becomes available, only through the use of a computer-controller could the dispatcher obtain optimum

PREPARED BY C.W. COGNURN DATE PREPARED 1/16/56

utilization of alternate fuels. A computer-controller would also enable the dispatcher to more effectively schedule economy interchange since he would have accurate information on the value of power at interconnections. Therefore, it is recommended that an economic dispatch computer-controller be installed on the Florida Power & Light Company system.

A computer-controller would normally be tied in with the present load control equipment and would act as its sensing element to direct impulses to the generating stations to correct for deviations from economic dispatch. In addition to its principal function above, the computer would be a valuable system planning tool since it could be used in engineering studies to make economic comparisons of alternate plant sites.

#### Savings

It is conservatively estimated that the use of an economic dispatch computer-controller would result in a saving in additional fuel cost of \$30,000 annually, based on an average saving of approximately \$3.50 per hour. An additional \$5,000 per year would be saved by the elimination of the revisions in the precalculated dispatch curves which are necessitated by changes in fuel price and generating unit performance data. Therefore, a total annual saving of \$35,000 would be realized by the installation of an economic dispatch computer-controller.

CONSTRUCTION BUDGET ITEM NO. 56  
 CONSTRUCTION COST IN BUDGET YEAR : 150,000  
 TOTAL CONSTRUCTION COST : 1,300,000  
 GROSS COST OF PROJECT : 1,300,000

DATE WHEN TO BE STARTED JUNE 1956 TO BE COMPLETED JUNE 1957 ELECTRIC DEPARTMENT

TITLE		DETAILED ESTIMATES			
MIAMI - MIAMI BEACH 69 KV CABLE		PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION
GROSS COST OF PROJECT	1) Gross primary additional load estimated	1,294,000		2) Primary compressors	83,000
	2) Increased station construction			3) New primary substations (2 - 25)	1,211,000
	3) Total primary additional	1,294,000		4) New subst. to replacement subst. (2 - 4 - 8)	89,000
	4) Research cost	8,000		5) Miscellaneous	
	5) Salvage	2,000		6) TOTAL CHARGES (24 + 25 + 26)	1,300,000
	6) Total Construction Cost (2+4+5)	1,300,000			
	7) Contingencies				
	8) Total Charges Budgeted for this item (2+7)	1,300,000			
	9) Means and instruments in other account				
	10) GROSS COST OF PROJECT (2+8+9)	1,300,000			
NET COST	11) Advt and distribution in account of cost			27) Annual interest added	
	12) Construction - Prior to budget year			28) Percent of gross cost (28 + 29)	
	13) Construction - In budget year	150,000		29) Annual saving in operation & maintenance	
	14) Construction - After budget year (2 - 12 - 13)	1,150,000		30) Percent of gross cost (28 + 29)	
	15) Replacement - Prior to budget year			31) Net annual savings after allowing for change in cost (28 - 29 + 30)	
	16) Replacement - In budget year			32) Reduced A. expenses & losses ( 14 % of 78)	182,000
	17) Replacement - After budget year (2 - 15 - 16)			33) Savings for taxes on system investment (22 - 23)	(182,000)
	18) Contingencies - Budget Year - Conting.				
	19) Expenses Transferred - In				
	20) Expenses Transferred - Out				
CLEAR NET'S FOR COMET (13 - 14 - 19 + 20)	21) Cash flow (2) in Budget Year for investments	150,000			
	22) Cash flow (2) in Budget Year for investments				

DESCRIPTION:  
 Install approximately three miles of 69 kv, 1000 mcm, pipe-type compression cable between Miami Plant and Miami Beach Plant. Provide terminal facilities at each end with two 25,000 kva, 69-13.8 kv transformers at Miami Beach. Construct new office and storeroom building at Miami Beach.

PURPOSE AND NECESSITY:  
 In order to firm the power supply to the Miami Beach area for both the 1957 summer season and the 1957-58 winter season, a 69 kv, 1000 mcm pipe type compression cable between Miami Plant and Miami Beach Plant and two 25,000 kva, 69-13.8 kv transformers will be required.

Without additional transmission facilities an outage of the Deeruille 30 wva autotransformer, the Deeruille - 40th Street 34.5 kv line or the Little River -Deeruille 69 kv cable would overload the Railway-Miami Beach #1 and #2, 34.5 kv lines and the Hialeah autotransformer bank of 20-wva capacity. An outage of the Miami Beach #4 Unit would severely overload the Deeruille autotransformer and the Little River-Deeruille 69 kv cable.

As determined in the long range study, the transmission on Miami Beach must be converted to 69 kv by completing a Miami-Little River-Deeruille-40th Street-Miami Beach-Miami 69 kv cable loop by the addition of the Deeruille-40th Street-Miami Beach-Miami section. The installation of the Miami-Miami Beach 69 kv cable is the next logical step in this conversion.

PREPARED BY F. T. TRIMMER DATE PREPARED 7/24/56

The cable should be terminated at Miami Beach through a 69-13.8 kv transformer bank rather than a 69-34.5 kv autotransformer bank since there would be no place in which such an autotransformer could be used once the 69 kv cable loop is completed. Since the 50,000 kva of 69-13.8 kv transformer capacity will not be required when the 69 kv cable loop is completed, this new capacity should be obtained with two 25,000 kva transformers, one of which can later be transferred to another location for use as a distribution substation step-down transformer.

To provide space for the cable termination at Miami Beach Plant, it will be necessary to demolish the existing two-story office and storeroom building and construct a new building.

CONSTRUCTION COST IN BUDGET YEAR 2,750,000  
 TOTAL CONSTRUCTION COST 3,150,000  
 GROSS COST OF PROJECT 3,150,000

DATE WORK TO BE STARTED JAN 1956 TO BE COMPLETED MAR 1957 ELECTRIC DEPARTMENT

TITLE		DETAILED ESTIMATES				IS NO.
FT. MYERS-TAMPA 138 KV LINE		PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION	PRESENT ESTIMATE	INCREASE OVER PREVIOUS AUTHORIZATION	
COST BY PROJECT	11 Gross primary addition (not removed)	1,153,000		10,000		
	12 Interest during construction			3,143,000		
	13 Total primary addition	1,153,000				
	14 Material used	5,000		7,000		
COST BY CLASSIFICATION	15 Salvage	8,000				
	16 Total Construction Cost (11+12+13)	3,150,000		3,150,000		
	17 Retainments					PRESENT ESTIMATE
	18 Total Change Budgeted for This Item (16+17)	3,150,000				
COST BY ACCOUNT	19 Material maintenance in other account					
	20 GROSS COST OF PROJECT (18+19)	3,150,000				
	21 Add'l cost distribution in account if cost					
	22 Construction - Prior to budget year					
COST BY COST CENTER	23 Construction - in budget year	2,750,000				
	24 Capital, 1/2 - after budget yr. (18 - 12 - 13)	400,000				
	25 Retainments - Prior to budget year					
	26 Retainments - in budget year					
COST BY FUND	27 Maintenance - after budget yr. (17 - 18 - 19)					
	28 Construction retained - Budget Year + Cont.					
	29 Retainments Transferred + to					
	30 Retainments Transferred - Out					
CASH NEEDS FOR CONSTRUCTION	31 CASH NEEDS FOR CONSTRUCTION (23 - 18 - 19 + 20)	2,750,000				
	32 Cash Req'd in Budget Year for maintenance					
	33 Interest during construction					
	34 Total cash needs for construction					
<p><b>DESCRIPTION</b></p> <p>Construct approximately 71 miles of 138 kv H-frame line from Ft. Myers Switching Station to Ringling Substation, 9 miles of 138 kv H-frame and 9 miles of 69 kv H-frame from Ringling Substation to Bradenton and approximately 3.6 miles of 69 kv tie lines between Ringling Substation and Sarasota. Construct Ringling Substation and reconductor approximately 2.3 miles of existing lines into Sarasota Plant. Complete the acquisition of necessary rights-of-way.</p>						
<p><b>PURPOSE AND NECESSITY</b></p> <p>A winter weather system peak load of 880,000 kw is anticipated for the winter season of 1956-57, with a total generating capability of 976,000 kw. A forced outage of Cutler #6 unit, 150,000 kw, would reduce this capability to 826,000 kw, resulting in a system deficit of 54,000 kw. However, due to transmission line limitations between the Palatka-Sanford area and the balance of the system, only 40,000 kw of surplus generation in the north is available to the balance of the system, with approximately 20,000 kw of this flowing into Ft. Pierce on the east coast lines and 20,000 kw flowing into Bradenton by displacement through the Tampa-Florida Power Corporation System. This still results in approximately 8,000 kw of generation in the north that could not be utilized. Thus the system deficit in generation is increased to 62,000 kw. For the same reasons, it is not possible to purchase deficit power under these same conditions from the Florida Power Corporation and or Jacksonville through the existing interconnections in the north.</p>						
<p><small>Classified as reserve of fund</small></p>						
PREPARED BY		E.L. SIVANS		DATE PREPARED		JAN. 31, 1956



The Tampa-Bradenton 69 kv tie is limited to approximately 40,000 kw due to thermal limitation of the Sarasota-Punta Gorda 69 kv line. Therefore it would only be possible to purchase 20,000 kw from Tampa on top of the 20,000 kw of displacement power from the north.

The proposed Ft. Myers-Sarasota-Tampa 138 kv line will easily allow the system deficit of 62,000 kw to be purchased from Tampa, as illustrated in the following tabulations.

1956-57 Winter Season Warm Weather Load		880,000 KW
Total Generating Capability	976,000 KW	
Total Firm Generation (Outage of Curler 150,000 kw unit)	826,000 KW	
Generation North of Ft. Pierce unavailable to balance of system	<u>8,000 KW</u>	
Firm generation available to system		818,000 KW
System Deficit		62,000 KW
<u>Purchase power to supply deficit</u>		
1. With existing Bradenton-Tampa 69 kv tie line		
Capability as limited by the Sarasota- Punta Gorda 69 kv line		40,000 KW ✓
Displacement power through Tampa Electric Co. - Florida Power Corp. systems from Palatka-Sanford Area		<u>20,000 KW ✓</u>
Purchase capability to supply deficit		20,000 KW ✓
2. With the Ft. Myers-Sarasota-Tampa 138 kv Line.		
Capability of Line		100,000 KW
Displacement power through Tampa Electric Co., - Florida Power Corp. systems from Palatka- Sanford Area		<u>20,000 KW</u>
Purchase capability to supply deficit		80,000 KW

Load studies also indicate that this 138 kv line will be required in order to provide firm power supply to the West Coast within two or three years.

20

"Report on Florida's Requirements for New Interstate Ties,"  
dated 11/1/73, prepared by "ELB."

ELB  
11/1/73

MMcD EXHIBIT NO. 83

REPORT ON FLORIDA'S  
REQUIREMENTS FOR NEW  
INTERSTATE TIES

ELB EXHIBIT NO. 82

Nearly every major electric utility system in the United States is connected with neighboring systems to form large interconnected networks. The gradual evolution from small isolated systems in the early 1900's to groups of interdependent systems reflected the awareness by utility management that service reliability could be improved and the cost for providing service could be reduced through interconnections.

Among the many financial benefits realized are the economy of scale by the installation of large generating units, reduction in installed reserve capacity and reduction in operating costs by sharing operating reserve and coordination of generator maintenance.

Reliability of electric power supply has been a major concern of the electric power industry for many years. The rapid growth in electric energy use and the increasing dependence on all consumers on the continuity of electric power supply have made reliability even more important.

One of the basic prerequisites to a reliable bulk power system design is the need to maintain a proper balance between size of generating units and power plants, capabilities of transmission lines and strength of interconnections. Thus, the trend toward larger generating units because of economy carries with it the need for corresponding increases in transmission capabilities and stronger interconnections.

Up to now it has been more economical in Florida to provide reliable electric service by developing and expanding our facilities within the state and to depend upon each other for assistance during emergencies, because of Florida's unique physical characteristics. We are surrounded by water on all sides except to the north. Our transmission lines are vulnerable to frequent hurricanes. The state is long and narrow. It is 806 miles from Key West to Pensacola, 400 miles from Miami to the Georgia border.

At the time the Florida Operating Committee was organized in 1959, there was only one 230 kV line in operation and a second one under construction. The largest generators in the state were 165 MW units. There was one 96 kV and three 115 kV interconnections between peninsular Florida and Georgia. The maximum power transfer was in the order of 100 to 150 MW.

By the end of 1973 we shall have in service approximately 2700 miles of 230 kV and 130 miles of 500 kV lines with another 130 miles of 500 kV under construction. The sizes of our generating units have grown from 165 MW in 1959 to where we now have 16 units of 400 MW's and larger in service. The two largest units now in service are 728 MW each.

Three 230 kV out-of-state interconnections have been built since 1959, two are in the Florida panhandle between Gulf Power and Alabama. The other is between Florida Power Corporation and Georgia Power Company.

By 1980, based on generating units under construction or planned, there will be ten generators in the 800 MW size in operation. For the 1980's, generator sizes of 1100-1300 MW are being considered. Jacksonville Electric Authority has tentatively committed for two nuclear units in this size range.

The total transfer capacity between peninsular Florida and Georgia is about 400 MW's plus or minus, depending on system operating conditions. This means that the sudden loss of a 400 MW unit or larger, frequently results in peninsular Florida being electrically isolated.

There have been 16 major system disturbances during the past 12 months in the state that resulted in the isolation of peninsular Florida. Three of these occasions in 1973 were accompanied by widespread outages that received nationwide attention.

The time has come that we can no longer remain an island. It is essential that the transmission network within the state continue to be developed and strengthened to keep pace with our growth.

It is also essential that for continued and improved reliability that additional 230 and 500 kV ties be built between Florida and the Southern Company.

However, we all realize that our expansion plans must be realistic and timely, consistent with our near- and long-term requirements, ever mindful that the costs must ultimately be borne by our customers.

The number one goal of the Florida Operating Committee for 1973 was to determine the best plan that would best meet our requirements and to secure approval and financial

commitments from the members of the FCG to build the needed interstate ties.

The proposed 230 kV and 500 kV ties between Florida and Georgia are primarily needed for system reliability and security rather than for the purchase or sale of firm power for two important reasons; (1) neither Florida or Georgia will have any low cost surplus power within the foreseeable future, and (2) If the proposed interstate tie lines were loaded for other than emergencies, their effectiveness during emergencies would be greatly reduced or destroyed and thereby jeopardize reliability.

The Florida Operating Committee recommends that:

1. A 230 kV interconnection between Georgia Power Company and Jacksonville Electric Authority to be constructed for service in 1976 at a cost of about \$4 to \$5 million.
2. A 500 kV interconnection and line between Georgia Power Company and Central Florida be constructed for service in 1982 or sooner if possible. This 500 kV line from the Georgia State line to FPC's Central Florida 500 kV Substation will be approximately 200 miles long and will cost about \$63 million.
3. All utility systems in Florida share in the cost of these facilities on a fair and equitable basis as described in Attachment 1, as everyone large and small will share in the benefits.
4. Negotiations begin as soon as possible with the Southern Company for the recommended 230 and 500 kV interconnections.

In addition, Florida Power Corporation and Gulf Power Corporation are planning a 230 kV interconnection in the

vicinity of Port St. Joe to be in service by 1975 which will have benefit to peninsular Florida.

When the Georgia-Jacksonville 230 kV line is completed there will be three 230 kV interconnections in service between Florida and the Southern Company. This will insure that the sudden loss of the largest generating units in the state will not normally result in system separation or the isolation of South Florida, thus increasing reliability and minimizing possible service interruptions.

These 230 kV interconnections will adequately satisfy our requirements until the proposed 500 kV tie with Georgia and the planned 500 kV backbone system within Florida can be finished in 1982.

While the primary benefits of these proposed interstate lines are reliability and security, there are some operating benefits to be shared. One is reduced operating costs from less stringent spinning reserve requirements. Because of the inadequacy of our present interstate ties, we suffer frequent isolation of peninsular Florida from Georgia during emergencies. As a result, we must maintain a spinning reserve equal to the largest generator in service plus the amount of power being imported from out of the state. It must be immediately available to prevent a frequency drop below 59.5 cycles per second.

The proposed new interconnections by remaining in service in the event of the loss of the larger generators in the state, will supply instantaneous emergency assistance from the rest of the country until the spinning reserve generation in Florida

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Interoffice memorandum, dated 8/2/51, H.V. Street to C.G. Kinsman; subject: "Tampa Interconnection," with an "economic analysis of the value of the Tampa Interconnection" attached.



Miami, Florida  
August 2, 1951

Mr. G. C. Kinsman, Operating Vice Pres. - MB  
H. V. Street, Chief Engineer

Messrs.

R. H. Fitts / encl. - MB  
R. A. Goodburn / encl. - MB  
H. W. Page / encl. - MB

TAMPA INTERCONNECTION

Attached for your use is a copy of an economic analysis of the value of the Tampa Interconnection:

1. To Firm-up West Coast Area.
2. To Firm-up Bradenton Area.

WHJ:JL  
ENCL.

TAMPA INTERCONNECTION  
SUMMARY

E.V.S.  
8/2/51

LOADS

The west coast area will be deficient in firm generating capacity by 1952-53 winter season.

The Bradenton area is deficient in firm capacity at present and the area north of Manatee River needs reinforcement in the next 3 or 4 years.

COMPARATIVE INVESTMENTS

1. <u>To Firm up West Coast Area - (Alternate Schemes)</u>		
(a) 33000 kw Extension to Sarasota		\$ 6,200,000
(b) Additional cross-state transmission		\$ 2,000,000
(c) Tampa Interconnection - 1/2 of Cost		550,000
2. <u>To Firm up Bradenton Area - If Tampa Interconnection is not Built</u>		
(a) 2nd Circuit to Bradenton		\$ 350,000
(b) River Crossing and line north of Bradenton (about 1934-1935)		250,000
	Total	\$ 610,000

TAMPA INTERCONNECTION

1. Lowest investment not only for firming up west coast as a whole, but also for firming Bradenton area.
2. Permits shutting down Bradenton SES and reduced operation at Punta Gorda and Sarasota DE Stations.
3. Will show a net annual saving in west coast plant operating costs of approximately \$43,000 which will pay a large part of the fixed charges on the line to Tampa.
4. Will permit some future arrangement whereby generating capacity in the Sarasota, Tampa, St. Petersburg area could be developed at an overall saving to the three companies operating on the west coast of Florida.

SUMMARY OF ANNUAL SAVINGS WITH TAMPA INTERCONNECTION

	<u>Total</u>	<u>Bradenton SE</u>	<u>Punta Gorda DE</u>	<u>Sarasota DE</u>
Fuel Saving	\$ 13,375	\$ 3,500	\$ 5,150	\$ 275
Payroll Saving	32,500	11,200	8,700	12,600
General Expense Saving	<u>9,850</u>	<u>4,900</u>	<u>3,700</u>	<u>1,250</u>
Total	\$ 55,725	\$ 24,600	\$ 17,500	\$ 14,125
Probable Cost of Energy at 1.5/kwh	<u>12,350</u>			
Net Annual Saving	\$ 43,375			

1. FIRM POWER SUPPLY TO  
WEST COAST AREA - TOTAL

Warm Weather Peak Loads - All Units in Service

	Normal Load Growth - kw			
	1950-51	1951-52	1952-53	1953-54
Substation loads	33,500	37,500	42,400	45,300
Normal Losses & Uses	1,500	2,000	2,900	4,700
Generation Required	35,000	39,500	45,300	50,000
Total Generation Available	51,700	51,700	51,700	51,700
Excess Generation	15,700	12,200	6,400	1,700

Warm Weather Peak Loads - One Sarasota Unit Off

Substation Loads	33,500	37,500	42,400	45,300
Emergency Losses & Uses	3,000	4,000	5,300	7,200
Generation Required	36,500	41,500	47,700	52,500
Firm Generation Available	27,700	27,700	27,700	27,700
Excess Load over Generation	8,800	13,800	20,000	24,800
* From Transmission	15,000	13,000	20,000	16,500
Excess or Deficit	6,200	1,200	0	(8,300)

Note: Figures shown for transmission capacity vary with system load conditions. For 1950-51 and 1951-52 capacity shown is based on having about normal voltages; other years are based on minimum operating voltages.

It is evident from the above tabulations that by 1952-53 winter season additional capacity will be required on the west coast.

Three Means of Providing Firm Capacity to West Coast

There are three means of providing firm capacity to the west coast area as follows:

- (a) Additional Generation at Sarasota. A 35,000 kw unit could be added at Sarasota SES, which would provide firm capacity for several years.

Estimated Cost \$6,200,000

- (b) A 66/110 kv line across the state would provide firm capacity to the west coast for about the same length of time as the 35,000 kw unit, but the capacity would have to be provided elsewhere on the system.

Estimated Line Cost \$2,000,000

- (c) Interconnect with Tampa Electric Company by means of a Bradenton-Tampa 66 kv line.

Estimated Total Cost \$1,100,000

Estimated 1/2 Total Cost \$ 550,000

2. FIRM POWER SUPPLY TO BRADENTON AREA

Watt Weather Peak Loads - Normal Load Growth

	1950-51	1951-52	1952-53	1953-54
Substation load	9,300	10,300	11,500	12,700
Bradenton SES Capacity	3,000	3,000	3,000	3,000
From Transmission	6,300	7,300	8,500	9,700

As long as the single 66 kv circuit is in service from Sarasota SES to Bradenton there is adequate capacity available for the next few years. However, with the transmission line out of service, load must be dropped.

There have been discussions recently relative to providing a 2nd 66 kv transmission circuit.

The Estimated Cost of Sarasota-Bradenton 2nd circuit is \$360,000.

Area North of Manatee River

The area north of the Manatee River has been growing rapidly the past few years. It is now served by a 13 kv line across the river, which extends northerly for about 3 1/2 miles.

The load and voltage in this area are such that within the next 3 or 4 years it will be necessary to construct a 66 kv line across the Manatee River and thence north 8 - 10 miles at a total cost of \$250,000.

A Tampa Interconnection would not only firm up the west coast area, but would also firm up the Bradenton area and provide a line which could be tapped with a substation at any point desired.

3. ANNUAL SAVINGS IN WEST COAST PLANT OPERATION WITH TAMPA INTERCONNECTION

Analysis of West Coast Plant Operation Year 1950

	Bradenton SE	Punta Gorda PE	Sarasota PE
Oper. Supv. & Eng.	1,221	4,524	3,680
Station Labor	19,296	16,003	6,613
Fuel	14,277	9,616	346
Water	926	-	-
Supplies & Expenses	1,925	1,420	824
Maintenance	12,637	15,833	5,552
Total	50,282	47,396	16,995

Operating Data - Year 1950

	Bradenton SE	Punta Gorda PE	Sarasota PE
Hours Operated	463	903	53
Hours on Hot Standby	6,061	-	-
Gross Gen. - kWh	243,300	1,916,500	22,300
Net Output - kWh	739,600	1,433,000	(47,000)
Fuel Used - bbl	6,517	3,376	113

Estimated Annual Savings with Pump Interconnection

(a) Bradenton S E Station

Fuel Cost

In 1950 this station operated 468 hours and was on hot standby 6061 hours. The net output was 739,600 kWh and the fuel consumption was 6527 bbl. At the present delivered fuel price of \$2.47/bbl the cost of fuel would amount to \$15,771 for operation comparable to that of 1950.

By reducing the net output 50% and by reducing the hours of hot standby, the fuel requirements could be cut to about 3000 barrels per year, representing a fuel cost of \$7360 per year. The net saving in fuel would therefore be about \$8500 per year.

Payroll

The present payroll is as follows:

1 Pl. Supt. at	\$450/mo
4 Watch Eng'rs. at	\$340/mo
1 Fireman at	\$253/mo
Total	\$2083/mo = \$24,730/yr.

Under the proposed plan of operation the payroll would be reduced to

1 Pl. Supt. at	\$450/mo
2 Watch Eng'rs. at	\$340/mo
Total	\$1130/mo = \$13,560/yr

The net saving in payroll would therefore be about \$11,200 per year.

Expenses other than Fuel & Payroll

For 1950 the expense other than fuel and payroll amounted to \$9,222. Under the proposed plan of operation this would be reduced to about \$5000 representing a net saving of about \$4200 per year.

(b) Punta Gorda

Fuel Cost

In 1950 this station operated 903 hours, the net output was 1,833,000 kWh and the fuel used was 3876 barrels. With a 50% reduction in output the fuel consumption would be reduced by about 1938 barrels per year. At the present delivered fuel price of \$2.63/bbl, this represents a saving of about \$5100 per year in fuel cost.

Payroll

The present payroll is as follows:

1 Pl. Supt. at	\$485/mo
1 Pl. Fire, at	\$375
3 Watch Eng'rs. at	353
1 Mechanic at	353
Total	\$2270/mo = \$27,230/yr

Under the proposed plan of operation the payroll would be reduced by

- 1 Watch Engineer at \$353/mo and
- 1 Plant Foreman at \$272/mo, representing
- a total reduction of \$725/mo or about \$8700 per year.

Expenses other than Fuel and Payroll

For 1950 the expense other than fuel and payroll amounted to \$7391. Under the proposed plan of operation this would be reduced about 50%, representing a saving of about \$3700 per year.

(c) Sarasota

Fuel Cost

In 1950 this station operated 53 hours, the net output was (47,000 kWh) and the fuel used was 113 barrels. Under the proposed plan the station would be shut down entirely. At the present delivered fuel price of \$2.45/bbl the fuel saving would be about \$275 per year.

Payroll

The present payroll consisting of 1 Plant Supt. at \$375/mo and 2 Watch Engineers at \$340/mo represents a total expenditure of about \$12,600 per year. This expense would be entirely eliminated with a corresponding saving of \$12,600 per year.

Expense other than Fuel & Payroll

For 1950 the expense other than fuel and payroll amounted to \$2561. With Sarasota on a lock & key basis this could be reduced by at least 50% representing a saving of about \$1250 per year.

(d) Cost of energy Received from Tampa

The reduction in output at the above plants under the proposed plan will be as follows:

Bradenton	369,300 kWh/yr
Punta Gorda	916,500 "
Sarasota	-
Total	<u>1,285,800 kWh/yr</u>

Assuming that energy can be purchased from Tampa at the rate of 1 cent per kWh, the cost of purchasing this displaced energy will be about \$12,858 per year.

Note:

It is probable that reduction in personnel at these standby plants can be accomplished promptly by absorption, hence the full amount of these anticipated savings will be realized almost immediately after the proposed interconnection has been placed in service.

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Schedule 13, Florida Power & Light Company's Form 12, filed with FPC for the years 1968-1973.

Schedule 13

DEMAND ON GENERATING PLANTS, POWER RECEIVED, AND POWER DELIVERED, FOR RESALE  
THE TIME OF SYSTEM PEAK LOAD OF THE YEAR

1. This schedule and schedules 14 and 15 are intended to show the load characteristics of the respondent's system in a form that avoids duplication with similar data for other systems. For this purpose the respondent's "system load" for any 60-minute clock-hour interval is defined as being equal to the aggregate of the energy supplied during that interval:

- (a) To ultimate consumers of the respondent;
- (b) To the systems listed in schedule 8 Part A (i. e., to class III and class V systems);
- (c) To other departments of the respondent; and, for transmission and distribution losses and energy unaccounted for on the respondent's system; and, for the respondent's electric utility operations (exclusive of plant use).

Note that the system load as here defined does not include the demands of other class I and class II systems whose power requirements during the year were not wholly supplied by the respondent's system, i. e., which obtained a part of their requirements from their own generating facilities or from sources other than the respondent's system. Deliveries to such systems, listed in "D" below, must be excluded in order to avoid duplication.

2. Class I and class II systems should furnish the information requested below for the 60-minute clock-hour interval during which the system peak load of the year occurred.

3. All of the demand data called for in this schedule should show integrated kilowatt demands for the 60-minute clock-hour interval during which the system peak load of the year occurred. Where integrated demands for 60-minute clock-hour intervals are not available, it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals. Adjustments made should be explained in footnotes. Where such adjustments cannot be made, demand data should be furnished in the form available.

4. Estimated quantities (noted "Est.") should be furnished where measured data are not available.

Date and hour of system peak load of year <u>Aug. 20, 1968 5-6 P.M.</u>		Integrated Demand— Kilowatts (at time of system peak)	
<u>Eastern Daylight-Saving Time</u>		Demand interval <u>60 Min.</u>	
A. Combined net demand on system generating plants (from col. 11, line 36, schedule 1).....		3,515,000	1
B. Itemized accounting of power received from other systems and industrial companies, except "border-line" receipts entered on line 40, schedule 8 part A.			
Name of other system			
Tampa Electric Co., Gannon Substation		200,000	2
Orlando Utilities Commission, Delespine, Florida		109,000	3
City of Jacksonville, Florida (Lane Ave. Substation)		52,000	4
City of Jacksonville, Florida (Robinwood Substation)		44,000	5
			6
			7
			8
			9
			10
Total of lines 2 to 10, inclusive.....		405,000	11
C. Demand on generating plants plus power received (line 1 plus line 11).....		3,920,000	12
D. Itemized accounting of power delivered to other systems for resale, except to those listed in schedule 8 part A			
Name of other system			
Florida Power Corp., Cocoa, Florida		92,000	13
Florida Power Corp., Lake Monroe, Florida		39,000	14
			15
			16
			17
			18
			19
			20
			21
Total of lines 13 to 21, inclusive.....		131,000	22
E. System peak load of the year (C minus D). This entry should agree with the peak load of the year as shown in schedule 14, using the same demand interval.....		3,789,000	23



*Schedule 13*

**DEMAND ON GENERATING PLANTS, POWER RECEIVED, AND POWER DELIVERED, FOR RESALE, AT THE TIME OF SYSTEM PEAK LOAD OF THE YEAR**

1. This schedule and schedules 14 and 15 are intended to show the load characteristics of the respondent's system in a form that avoids duplication with similar data for other systems. For this purpose the respondent's "system load" for any 60-minute clock-hour interval is defined as being equal to the aggregate of the energy supplied during that interval:

- (a) To ultimate consumers of the respondent;
- (b) To the systems listed in schedule 8 Part A i. e., to class III and class V systems;
- (c) To other departments of the respondent; and, for transmission and distribution losses and energy unaccounted for on the respondent's system; and, for the respondent's electric utility operations (exclusive of plant use).

Note that the system load as here defined does not include the demands of other class I and class II systems whose power requirements during the year were not wholly supplied by the respondent's system, i. e., which obtained a part of their requirements from their own generating facilities or from sources other than the respondent's system. Deliveries to such systems, listed in "D" below, must be excluded in order to avoid duplication.

2. Class I and class II systems should furnish the information requested below for the 60-minute clock-hour interval during which the system peak load of the year occurred.

3. All of the demand data called for in this schedule should show integrated kilowatt demands for the 60-minute clock-hour interval during which the system peak load of the year occurred. Where integrated demands for 60-minute clock-hour intervals are not available, it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals. Adjustments made should be explained in footnotes. Where such adjustments cannot be made, demand data should be furnished in the form available.

4. Estimated quantities (noted "Est.") should be furnished where measured data are not available.

Date and hour of system peak load of year <i>Aug. 20, 1969 5-6 P.M.</i> <i>Eastern Daylight-Saving Time</i>	Integrated Demand— Kilowatts (at time of system peak)  Demand interval <i>60 Min.</i>	
A. Combined net demand on system generating plants (from col. 11, line 36, schedule 1)	4,237,000	1
B. Itemized accounting of power received from other systems and industrial companies, except "border-line" receipts entered on line 40, schedule 8 part A.		
Name of other system		
Tampa Electric Co., Gannon Substation	179,000	2
City of Jacksonville, Florida (Normandy Substation)	47,000	3
Florida Power Corp., East Oak, Florida	7,000	4
		5
		6
		7
		8
		9
		10
Total of lines 2 to 10, inclusive	233,000	11
C. Demand on generating plants plus power received (line 1 plus line 11)	4,470,000	12
D. Itemized accounting of power delivered to other systems for resale, except to those listed in schedule 8 part A		
Name of other system		
Florida Power Corp., Cocoa, Florida	64,000	13
Florida Power Corp., Lake Monroe, Florida	16,000	14
City of Jacksonville, Florida (Robinwood Substation)	55,000	15
Orlando Utilities Commission, Delespine, Florida	6,000	16
		17
		18
		19
		20
		21
Total of lines 13 to 21, inclusive	141,000	22
E. System peak load of the year (C minus D). This entry should agree with the peak load of the year as shown in schedule 14, using the same demand interval	4,329,000	23

**Schedule 13**  
**DEMAND ON GENERATING PLANTS, POWER RECEIVED, AND POWER DELIVERED, FOR RESALE, AT THE TIME OF SYSTEM PEAK LOAD OF THE YEAR**

1. This schedule and schedules 14 and 15 are intended to show the load characteristics of the respondent's system in a form that avoids duplication with similar data for other systems. For this purpose the respondent's "system load" for any 60-minute clock-hour interval is defined as being equal to the aggregate of the energy supplied during that interval:

(a) To ultimate consumers of the respondent;  
 (b) To the systems listed in schedule 8 Part A i. e., to class III and class V systems;  
 (c) To other departments of the respondent, and, for transmission and distribution losses and energy unaccounted for on the respondent's system; and, for the respondent's electric utility operations (exclusive of plant use).

Note that the system load as here defined does not include the demands of other class I and class II systems whose power requirements during the year were not wholly supplied by the respondent's system, i. e., which obtained a part of their requirements from their own generating facilities or from sources other than the respondent's system. Deliveries to such systems, listed in "D" below, must be excluded in order to avoid duplication.

2. Class I and class II systems should furnish the information requested below for the 60-minute clock-hour interval during which the system peak load of the year occurred.

3. All of the demand data called for in this schedule should show integrated kilowatt demands for the 60-minute clock-hour interval during which the system peak load of the year occurred. Where integrated demands for 60-minute clock-hour intervals are not available, it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals. Adjustments made should be explained in footnotes. Where such adjustments cannot be made, demand data should be furnished in the form available.

4. Estimated quantities (noted "Est.") should be furnished where measured data are not available.

	Integrated Demand— Kilowatts (at time of system peak) Demand Interval
Date and hour of system peak load of year <u>SEP. 10, 1970</u> <u>4-6 PM</u> <u>Eastern Daylight Time</u>	<u>60 Min</u>
A. Combined net demand on system generating plants (from col. 11, line 36, schedule 1)	4,871,000
B. Itemized accounting of power received from other systems and industrial companies, except "border-line" receipts entered on line 40, schedule 8 part A.	
Name of other system	
Tampa Electric Co., Ruskin, Fla.	204,000
Jacksonville Electric Authority, (Normandy Substation)	57,000
Orlando Utilities Commission, Deleespine, Florida	4,000
Total of lines 2 to 10, inclusive	265,000
C. Demand on generating plants plus power received (line 1 plus line 11)	5,136,000
D. Itemized accounting of power delivered to other systems for resale, except to those listed in schedule 8 part A.	
Name of other system	
Florida Power Corp., Near Cocoa, Florida	62,000
Florida Power Corp., Lake Monroe, Florida	16,000
Jacksonville Electric Authority, (Robinwood Substation)	57,000
Total of lines 13 to 21, inclusive	135,000
E. System peak load of the year (C minus D). This entry should agree with the peak load of the year as shown in schedule 14, using the same demand interval.	5,001,000

**Schedule 13**

**DEMAND ON GENERATING PLANTS, POWER RECEIVED, AND POWER DELIVERED, FOR RESALE, AT THE TIME OF SYSTEM PEAK LOAD OF THE YEAR**

1. This schedule and schedules 14 and 15 are intended to show the load characteristics of the respondent's system in a form that avoids duplication with similar data for other systems. For this purpose the respondent's "system load" for any 60-minute clock-hour interval is defined as being equal to the aggregate of the energy supplied during that interval:

- (a) To ultimate consumers of the respondent;
- (b) To the systems listed in schedule 8 Part A, i. e., to class III and class V systems;
- (c) To other departments of the respondent; and, for transmission and distribution losses and energy unaccounted for on the respondent's system; and, for the respondent's electric utility operations (exclusive of plant use).

Note that the system load as here defined does not include the demands of other class I and class II systems whose power requirements during the year were not wholly supplied by the respondent's system, i. e., which obtained a part of their requirements from their own generating facilities or from sources other than the respondent's system. Deliveries to such systems, listed in "D" below, must be excluded in order to avoid duplication.

2. Class I and class II systems should furnish the information requested below for the 60-minute clock-hour interval during which the system peak load of the year occurred.

3. All of the demand data called for in this schedule should show integrated kilowatt demands for the 60-minute clock-hour interval during which the system peak load of the year occurred. Where integrated demands for 60-minute clock-hour intervals are not available, it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals. Adjustments made should be explained in footnotes. Where such adjustments cannot be made, demand data should be furnished in the form available.

4. Estimated quantities (noted "Est.") should be furnished where measured data are not available.

Date and hour of system peak load of year		Integrated Demand— Kilowatts (at time of system peak)	Demand Interval— 60-Min
August 25, 1971 5-6 PM Eastern Daylight Time			
A. Combined net demand on system generating plants (from col. 11, line 36, schedule 1)		5,226,000	1
B. Itemized accounting of power received from other systems and industrial companies, except "border-line" receipts entered on line 40, schedule 8 part A.			
Name of other system			
Tampa Electric Co., Ruskin, Florida	245,000	2	
Jacksonville Electric Authority, (Normandy Substation)	51,000	3	
Florida Power Corp., Near Cocoa, Florida	1,000	4	
Total of lines 2 to 10, inclusive		297,000	11
C. Demand on generating plants plus power received (line 1 plus line 11)		5,523,000	12
D. Itemized accounting of power delivered to other systems for resale, except to those listed in schedule 8 part A.			
Name of other system			
Florida Power Corp., Near Cocoa, Florida	17,000	13	
Florida Power Corp., Lake Monroe, Florida	20,000	14	
Jacksonville Electric Authority, (Robinwood Substation)	104,000	15	
Orlando Utilities Commission, Deleespine, Florida	4,000	16	
Total of lines 13 to 21, inclusive		145,000	22
E. System peak load of the year (C minus D). This entry should agree with the peak load of the year as shown in schedule 1A, using the same demand interval.		5,378,000	23

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Schedule 13 DEMAND ON GENERATING PLANTS, POWER RECEIVED, AND POWER DELIVERED, FOR RESALE, AT THE TIME OF SYSTEM PEAK LOAD OF THE YEAR		
<p>1. This schedule and schedules 14 and 15 are intended to show the load characteristics of the respondent's system in a form that avoids duplication with similar data for other systems. For this purpose the respondent's "system load" for any 60-minute clock-hour interval is defined as being equal to the aggregate of the energy supplied during that interval:</p> <p>(a) To ultimate consumers of the respondent;</p> <p>(b) To the systems listed in schedule 8 Part A i. e., to class III and class V systems;</p> <p>(c) To other departments of the respondent; and, for transmission and distribution losses and energy unaccounted for on the respondent's system; and, for the respondent's electric utility operations (exclusive of plant use).</p> <p>Note that the system load as here defined does not include the demands of other class I and class II systems whose power requirements during the year were not wholly supplied by the respondent's system, i. e., which obtained a part of their requirements from their own generating facilities or from sources other than the respondent's system. Deliveries to such systems, listed in "D" below, must be excluded in order to avoid duplication.</p> <p>2. Class I and class II systems should furnish the information requested below for the 60-minute clock-hour interval during which the system peak load of the year occurred.</p> <p>3. All of the demand data called for in this schedule should show integrated kilowatt demands for the 60-minute clock-hour interval during which the system peak load of the year occurred. Where integrated demands for 60-minute clock-hour intervals are not available, it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals. Adjustments made should be explained in footnotes. Where such adjustments cannot be made, demand data should be furnished in the form available.</p> <p>4. Estimated quantities (noted "Est.") should be furnished where measured data are not available.</p>		
Date and hour of system peak load of year	July 27, 1972 5-6 PM	Integrated Demand - Kilowatts (at time of system peak), Demand interval 60-Min
Eastern Daylight Time		
A. Combined net demand on system generating plants (from col. 11, line 10, schedule 1)		5,379,000
B. Itemized accounting of power received from other systems and industrial companies, except "border-line" receipts entered on line 4G, schedule 8 part A.		
Name of other system		
Tampa Electric Co., Ruskin, Florida		239,000
Jacksonville Electric Authority, (Normandy Substation)		52,000
Jacksonville Electric Authority, (Nassau Substation)		4,000
City of Vero Beach, Vero Beach, Florida		15,000
Total of lines 2 to 10, inclusive		310,000
C. Demand on generating plants plus power received (line 1 plus line 11)		6,189,000
D. Itemized accounting of power delivered to other systems for resale, except to those listed in schedule 8 part A		
Name of other system		
Florida Power Corp., Near Cocoa, Florida		12,000
Florida Power Corp., Lake Monroe, Florida		13,000
Orlando Utilities Commission, Delespine, Florida		94,000
Jacksonville Electric Authority, (Robinwood Substation)		59,000
Total of lines 13 to 21, inclusive		178,000
E. System peak load of the year (C minus D). This entry should agree with the peak load of the year as shown in schedule 14, using the same demand interval		6,011,000

**Schedule 13**

**DEMAND ON GENERATING PLANTS, POWER RECEIVED, AND POWER DELIVERED, FOR RESALE, AT THE TIME OF SYSTEM PEAK LOAD OF THE YEAR**

1. This schedule and schedules 14 and 15 are intended to show the load characteristics of the respondent's system in a form that avoids duplication with similar data for other systems. For this purpose the respondent's "system load" for any 60-minute clock-hour interval is defined as being equal to the aggregate of the energy supplied during that interval:

- (a) To ultimate consumers of the respondent;
- (b) To the systems listed in schedule 8 Part A i. e., to class III and class V systems;
- (c) To other departments of the respondent; and, for transmission and distribution losses and energy unaccounted for on the respondent's system; and, for the respondent's electric utility operations (exclusive of plant use).

Note that the system load as here defined does not include the demands of other class I and class II systems whose power requirements during the year were not wholly supplied by the respondent's system, i. e., which obtained a part of their requirements from their own generating facilities or from sources other than the respondent's system. Deliveries to such systems, listed in "D" below, must be excluded in order to avoid duplication.

2. Class I and class II systems should furnish the information requested below for the 60-minute clock-hour interval during which the system peak load of the year occurred.

3. All of the demand data called for in this schedule should show integrated kilowatt demands for the 60-minute clock-hour interval during which the system peak load of the year occurred. Where integrated demands for 60-minute clock-hour intervals are not available, it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals. Adjustments made should be explained in footnotes. Where such adjustments cannot be made, demand data should be furnished in the form available.

4. Estimated quantities (noted "Est.") should be furnished where measured data are not available.

Date and hour of system peak load of year		Integrated Demand— Kilowatts (at time of system peak)	
September 13, 1973 5-6 PM			
Eastern Daylight Time		Demand interval 60-Min	
A. Combined net demand on system generating plants (from col. 11, line 36, schedule 1)		6,611,000	1
B. Itemized accounting of power received from other systems and industrial companies, except "border-line" receipts entered on line 40, schedule 8 part A.			
Name of other system			
Tampa Electric Co., Ruskin, Florida	390,000	2	
Jacksonville Electric Authority, (Robinwood Substation)	13,000	3	
Jacksonville Electric Authority, (Normandy Substation)	76,000	4	
Jacksonville Electric Authority, (Nassau Substation)	4,000	5	
Ft. Pierce Utilities Authority, Fort Pierce, Florida	10,000	6	
		7	
		8	
		9	
		10	
Total of lines 2 to 10, inclusive		493,000	11
C. Demand on generating plants plus power received (line 1 plus line 11)		7,104,000	12
D. Itemized accounting of power delivered to other systems for resale, except to those listed in schedule 8 part A			
Name of other system			
Florida Power Corp., Near Cocoa, Florida	44,000	13	
Florida Power Corp., Lake Monroe, Florida	44,000	14	
Orlando Utilities Commission, Delespine, Florida	112,000	15	
Jacksonville Electric Authority, (Robinwood Substation)	10,000	16	
		17	
		18	
		19	
		20	
		21	
Total of lines 13 to 21, inclusive		210,000	22
E. System peak load of the year (102284 plus D). This entry should agree with the peak load of the year as shown in schedule 14, using the same demand interval		6,894,000	23

23

Memorandum, dated 10/31/68, by E.L. Bivans; subject: "1970  
System Generation Requirements."

TO Memorandum  
FROM E. L. Bivans  
SUBJECT: 1970 System Generation Requirements

LOCATION Miami, Florida  
DATE October 31, 1968

COPIES TO Messrs.  
McGregor Smith  
R. H. Fite  
R. C. Fullerton  
Loftin Johnson  
J. W. Keck  
James Coughlin  
F. E. Autrey  
H. W. Page  
C. B. Moore

ELB EXHIBIT NO. 29

This memorandum is to set forth the recommendations and conclusions for the 1970 System Generation Requirements, as agreed to by Messrs. J. W. Keck, James Coughlin, Loftin Johnson, H. W. Page, C. B. Moore, K. S. Buchanan and E. L. Bivans in a meeting on October 25, 1968.

Recommendations:

1. Install, as an absolute minimum, a total of 200 mw in gas turbine generators to meet the 1970 summer estimated peak load of 5000 mw. In the event of loss of one of the seven 400 mw units during 1970 summer peak load periods, 200 mw of gas turbines will reduce the generating deficit from 305 mw to 105 mw, as shown on the attached System Load and Generation Summary. The 105 mw deficit can probably be obtained from our neighbors as there will be approximately 1300-1400 mw of reserve generation remaining in Peninsular Florida during the 1970 summer.
2. The 200 mw in gas turbines be located as follows:

Miami Plant - 160 Mw Gas Turbine Installation

This will defer the 2nd Miami-Flagami 240 kv cable for approximately 4 to 5 years, which otherwise will be required in 1971.

Cost of 2nd cable	\$4,000,000
Annual carrying charges @ 17%	630,000

Starke - 40 Mw Gas Turbine Installation

This will defer for approximately 2 years the Palatka-Starke 115/240 kv line, which otherwise will be required in 1969 for firming the area west of Palatka.

Palatka-Starke 115/240 kv line (approx. 45 miles)	\$2,700,000
Less G.T. Plant - Starke line section (approx. 7 miles)	340,000
Less Starke 115 kv terminal	<u>110,000</u>
Line construction to be deferred (38 miles)	\$2,250,000
Annual carrying charges @ 17%	382,500

Assuming that gas will be available and that a FPC license can be obtained, a good site for this installation would be approximately 7 miles south of Starke on State Road #100 at the intersection of the gas pipeline on the

Palatka-Starke 115 kv line, and the new right-of-way for the new Palatka-Starke 115/240 kv line. A gas turbine at this location should be both oil and gas fired to be able to take advantage of the lower priced gas.

The unit would be a remotely controlled and operated station. However, it might be necessary to have maintenance personnel stationed here - possibly on a one-shift operation until experience proved otherwise.

3. Additional capacity up to 160 mw in excess of the recommended 200 mw should be considered for installation at Bradenton Substation. A gas turbine installation at Bradenton would defer the 3rd 230-138 kv autotransformer, now scheduled for 1970, and the rebuilding of the Ft. Myers-Ringling 138 kv line, now scheduled for 1972.

Ringling 230-138 kv autotransformer	\$ 600,000
Ft. Myers-Ringling 138 kv conversion to 240 kv	<u>3,500,000</u>
Total	\$4,100,000
Annual carrying charges @ 17%	698,000

Conclusions:

1. Gas turbines can be purchased and installed in time to meet the 1970 summer peaks if an order is placed within the next one to two months.

According to Pratt & Whitney, they have inquiries from various utilities for gas turbine installations for 1970, totaling approximately 500 mw.

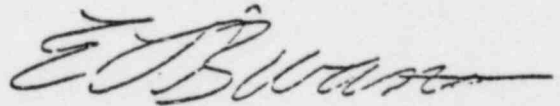
2. The installed cost of 200 mw of gas turbines will be approximately \$18,000,000, or less. This is at least \$10 per kw lower than the cost of a conventional steam unit.
3. Preliminary results of a Production Cost Study now underway show that gas turbines can be justified to supply some of the system's peaking and installed reserve generating requirements, not only for 1970 but for subsequent years. Therefore, if gas turbines are installed as recommended, they will fit into our system from both an operating and economic standpoint. Some of the advantages of gas turbines are:
  - a. They can be quickly started and stopped, carrying load only as needed. This will allow other more efficient units, particularly the nuclear units, to produce more kwh during other than peaking hours.
  - b. Capacity can be counted as Ready Reserve and when operating, will reduce amount of spinning reserve required to be carried on more efficient units.
  - c. Miami Unit #8, one of our higher cost plants, can be placed on standby status.
4. Gas turbines can operate on oil without smoking if the oil is treated with the proper additives.
5. Adequate silencing can be obtained so that noise would not be a problem to any residences 750 feet or more distant for a 160 mw installation in an



urban area, or for a 40 mw installation in a rural or quiet suburban area.

6. Mr. F. E. Autrey has been consulted about the possibility of a Miami Plant installation and he does not foresee any difficulty from the City and/or other governmental authorities.
7. If Turkey Point Nuclear Unit No. 3 is not in commercial operation for the summer of 1971, another 600 mw or more of generating capacity in the form of gas turbines will be required for 1971.

ELB/jl  
Attach



24

Interoffice memorandum, dated May 10, 1972, from E.L. Bivans to H.W. Page, subject: "Generation Requirements for the Summer of 1974."

DOCUMENT 24

ELB EXHIBIT NO. 35

Mr. H. W. Page, Chairman  
System Planning Group  
E. L. Bivans

LOCATION Miami, Florida  
DATE May 10, 1972  
COPIES TO  
✓ Marshall McDonald +Attach.  
Loftin Johnson +Attach.  
James Coughlin +Attach.  
H. L. Allen +Attach.  
J. E. Carson +Attach.  
R. J. Gardner +Attach.  
J. A. Lassetter +Attach.  
W. H. Rogers +Attach.  
A. D. Schmidt +Attach.

SUBJECT: GENERATION REQUIREMENTS  
FOR THE SUMMER OF 1974

With the almost certain delay of Hutchinson Island No. 1 until the spring of 1975, it is imperative that additional generation be scheduled for the summer of 1974. Tabulated below is the load and capability situation that will exist, without taking into account curtailment of Turkey Point:

1974	Hutchinson Island No. 1	
	No Delay	One Year Delay
Summer Peak Load - MW	8100	8100
Generation - MW	9563	8713
Reserve - MW	1463 (18.1%)	613 (7.6%)
Largest Unit - MW	850	728
Reserve - MW Largest Unit Out of Service	613 (7.6%)	-115 (-1.4%)

The probability of having to interrupt load because of inadequate reserves and insufficient generation is shown by the following tabulation:

1974	Risk Index Days per Year	Increase Risk
Hutchinson Island No Delay	0.419	1.0 (Base)
Hutchinson Island Delayed One Year	3.72	8.9

Mr. H. W. Page

May 10, 1972

-2-

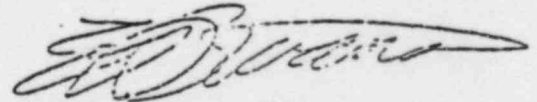
*- copy not  
needed for file*

Attached is a report, prepared by the System Planning Section, evaluating the situation for the summer of 1974. It shows that an additional 800 MW of generation is required to maintain the same reliability index that would have been achieved had Hutchinson Island not been delayed, and if Turkey Point were not curtailed. This entire amount cannot be purchased as it does not appear to be available, and our transmission ties are not sufficient to import 800 MW and also backstand the loss of additional units.

The report recommends the addition of 600 MW in gas turbines as well as purchases of up to 200 MW. A number of locations and combinations were studied, and the advantages and disadvantages of each.

It is suggested that the System Planning Group evaluate the alternatives and make final recommendation as to the number and location of units to be installed. As pointed out in Mr. H. L. Allen's letter of March 30, preparation of specifications should begin in June 1972 to meet a commercial operation date of May 1, 1974. Authorization should be obtained no later than at the regular Board of Directors meeting in August.

WDL/ds  
Attach.



25

Memorandum, dated 11/7/68, H.W. Page to Florida Operating Committee members, attaching a memorandum dated 10/21/68, titled "Power Supply - Peninsular Florida Estimated Situation - 1970 and 1971."

November 7, 1968

DOCUMENT 25

FLORIDA OPERATING COMMITTEE

03880

Mr. J. D. Hicks, Tampa Electric Company, Tampa, Florida  
 Mr. Lester Ulm, Jr., Tampa Electric Company, Tampa, Florida  
 Mr. D. E. Knauss, Florida Power Corporation, St. Petersburg, Florida  
 Mr. J. C. Huffer, Florida Power Corporation, St. Petersburg, Florida  
 Mr. H. V. Street, Florida Power & Light Company, Miami, Florida  
 Mr. H. C. Luff, Orlando Utilities, Commission, Orlando, Florida  
 Mr. Irving Reedy, Orlando Utilities, Commission, Orlando, Florida  
 Mr. Rupert Thompson, Jacksonville Electric Authority, Jacksonville, Fla.  
 Mr. R. L. Gittings, Jacksonville Electric Authority, Jacksonville, Fla.

The attached memorandum, prepared with your assistance, is being distributed on a limited and confidential basis. It shows the power supply situation in Peninsular Florida for the years 1970 and 1971 as nearly as can be determined at this time.

It has been suggested by Mr. Hicks that revised load and capability data be prepared and plotted through 1975. As you know, at least some of us have revised our estimates since Mr. Street issued the sheet titled "Gross Capabilities and Estimated Loads" dated April 21, 1968.

I am attaching copies of your estimates and capabilities which you furnished Mr. Street for the plot of April 21, 1968. In the case of OUC, TEC and FPCorp., these estimates were used in the power supply summary for the years 1970 and 1971. It is requested that you have someone examine these estimates, revise them where necessary, and return marked or new copies to me. This, of course, assumes that you are agreeable and interested in revised and up-dated information for the period 1969 - 1975.

It is hoped that you can return your estimates to me at an early date, or possibly have them at the regular meeting in Tampa, November 14, 1968.

HWP

H. W. Page

HWP/ess

Attachment

Distribution Only as Shown Above.

Estimates for April Plot Attached to Copies for:  
 Messrs. Hicks, Knauss, Luff and Thompson

October 21, 1968

FLORIDA OPERATING COMMITTEE

POWER SUPPLY - PENINSULAR FLORIDA  
ESTIMATED SITUATION - 1970 and 1971

203881

The attached confidential series of sheets (six) show the power supply situation in Peninsular Florida for the years 1970 - 1971 as nearly as it can be determined at this time. Attachment 1 combines the individual capabilities and peaks of Florida Power & Light Company, Florida Power Corporation, Tampa Electric Company, Jacksonville Electric Authority and Orlando Utilities Commission. Attachments 2 through 6 give the capabilities and peaks of the individual systems.

FPCorp. and TEC, each report that its load forecasts are being examined in the light of the past summer's heavy sustained loads. However, it will be a month or so before they are complete. In the meantime, each has suggested that the forecasts of April 1968 be used with the understanding that they may be raised. OUC reports that although the past summer peaks exceeded expectations, the April 1968 forecasts are still valid for its system. Both JEA and FPL have revised load estimates upward as the results of the past summer peaks. JEA estimates are not official but represent the best thinking available at this time.

Peaks for each system are expressed on a gross 60 minute basis and where instantaneous or 15 minute peaks are ordinarily used, these have been reduced by 2% to obtain the gross 60 minute figures.

The capabilities of the five systems are qualified with various facts and assumptions. These are shown in detail on the individual sheets.

On a combined basis, the five systems show total installed reserves of 1700 - 1800 mw in the summer of 1970. This assumes that construction schedules for Crystal River 2 and Big Bend 1 will be maintained. On the basis of these figures, the loss of the three largest units, Crystal River 2, Big Bend 1 and Gannon 6, could be sustained with some capacity to spare. However, it should be recognized that the gross capabilities shown do not represent maximum continuous capability. FPL maximum continuous capability for 1970 summer is estimated to be approximately 4900 mw - about 200 mw, or 4% less than the gross capability shown. Reducing the combined capability of 10,594 mw by 4%, a new practical figure of 10,171 mw is derived for combined summer continuous capability of Peninsular Florida. Assuming that FPCorp. and TEC will increase load estimates by 100 mw each, this leaves a reserve margin of perhaps 1000 mw for the combined systems in August 1970. For practical purposes this would support the loss of the two largest units in Peninsular Florida for a sustained period.

The summer of 1971 will be virtually a repeat of the summer of 1970 if only one of the Turkey Point nuclear units is in service. If neither Turkey Point nuclear units is in reliable service by the summer of 1971, the combined total reserve margin will be about 1000 mw provided JEA has its 300 mw unit in reliable service. On the basis used above, this 1000 mw would support the loss of only the largest unit in Peninsular Florida on a continuous basis.

HWP/ess

Attachments

27

Interoffice memorandum, dated 6/19/69, H.W. Page to L. Johnson;  
subject: "Power Supply Peninsular Florida 1970-1971."





figure. It should be noted that FPL reserves will be approximately 100 mw less, and the combined systems reserves will be approximately 200 mw less than shown if the instantaneous or 15-minute basis is used. To digress a moment, I cannot defend the use of the 60-minute gross figure, and feel that we should sell the other systems on using the shorter term peak for planning and for figuring reserves.

Referring to Table I, FPL reserve in the summer of 1970 will be 216 mw on a 60-minute basis, or 116 mw using the basis on which we make our estimates. This means that to meet the heavy sustained loads we must operate every unit we have at just about continuous capability. We will on many occasions have to buy to protect our spinning reserve even if we have every one of our units available. If we suffer the loss of one or more units during the summer, and particularly if our estimates for 1970 prove low, we will be forced to buy heavily. It is expected that both Big Bend 1 and Crystal River 2 will be in reliable service -- if either one is unavailable, the combined systems reserve will be about the same as for the summer of 1971 -- too low for comfort.

Referring to Table II, it may be seen that FPL will be deficient in extreme cold weather. The combined reserve picture is fairly good considering that winter peaks are of short duration. We cannot justify additional gas turbines for this period on its own, but the situation will be bettered if additional gas turbines are committed to meet the situation existing in Summer 1970.

Our exposure is greatest for the summer of 1971 in view of the many unknowns, which will influence the reliability of the nuclear unit. Referring to Table III, peak capabilities and continuous capabilities are shown with and without the Turkey Point 3 nuclear unit. If TP 3 is available for the summer load, FPL reserve margin will be 545 mw, based on peak capability and the reserve margin for the State will be 2077 mw. If TP 3 is not available, FPL will be short by 143 mw on peak capability, or on all-out basis. The combined systems margin drops to 1389 mw or 14%. If JEA Northside 2 is not in reliable service by the scheduled date of July 1, 1971, the combined systems margin on an all-out basis drops to 1089 mw or 11%.

Based on these bare figures it might appear that on a combined basis there would be a fair chance of getting through the summer. However, it must be remembered that the peak capabilities shown represent what we can do for short time periods, of say, up to four hours. Continuous capabilities are about 4% to 6% less than peak capabilities. Based on continuous capability, if TP 3 is in service, FPL will have a margin of 316 mw, and the combined systems margin on the same basis is 1547 mw. Without TP 3, FPL is short by 372 mw, and the combined systems figure drops to 859 mw. If JEA Northside unit is not ready on time, the combined systems continuous capability drops to 574 mw. Again, on the face of these figures it would appear that given some good luck we could get through the summer, provided no more than one large unit in the State were out of commission for a sustained period.

An examination of FPL load duration curves for July and August indicates that if TP 3 is not in reliable service for the Summer 1971, we will be buying power for 300 hours in July and August (combined), and for something less than this for June and September (combined). This is equivalent to an average of about six to eight hours per day Monday through Saturday. For July and August combined, we will have to buy in excess of 500 mw for 20 hours, in excess of 400 mw for 50 hours, in excess of 300 mw for 100 hours, in excess of 200 mw for 150 hours, and in excess of 100 mw for 200 hours. We would have to buy similar amounts for some fewer number of hours in June and September.

It should be noted that in the summer of 1971 there will be 12 units in Peninsular Florida in the 400 mw to 500 mw size, two of which will be relatively unproven; 5 units of 300 mw, one of which will be unproven; and 5 units of about 200 mw. Unavailability of more than one of these units during the long daily peak periods will mean that virtually every remaining unit in Peninsular Florida will be required to exceed continuous ratings for sustained periods. During such periods, the chances are that there will not be enough quick response available in the operating units to prevent automatic load shedding if one more large unit is lost.

*HWP*  
H. W. Page

HWP/ess

Attachments

P. S. 1973 can be another critical year. The situation for the years 1972 - 1973 is covered in another memorandum.

HWP

TABLE 1  
POWER SUPPLY - PENINSULAR FLORIDA

SUMMER 1970

	<u>Predicted Peak 60-Min. Gross MW</u>	<u>Peak Capability MW</u>		<u>Reserve Margin Based On Peak Capability MW</u>		<u>Continuous Capability MW</u>		<u>Reserve Margin Based On Continuous Capability MW</u>	
		<u>With BB 1</u>	<u>Without BB 1</u>	<u>With BB 1</u>	<u>Without BB 1</u>	<u>With BB 1</u>	<u>Without BB 1</u>	<u>With BB 1</u>	<u>Without BB 1</u>
FPL	4900	5345		445		5116		216	
TEC	1149	1777	1549	628	400	1687*	1459	538	310
FPC	1720	2230	2030	510	310	2118*	1918	398	198
OUC	279	430		151		395		116	
JEA	<u>838*</u>	<u>1000*</u>		<u>162</u>		<u>951*</u>		<u>113</u>	
Total	8886	10782	10354	1896	1468	10267	9839	1381	953
				or	or				
				21.3%	16.5%				

\* Estimated by HWP

NOTE: The figures shown as "Without BB 1" (Big Bend 1) may be reduced by 100 mw to see the effect of unexpected long delay of Crystal River 2. In this latter case, it is assumed that Big Bend 1 would be on time.

TABLE 11  
POWER SUPPLY - PENINSULAR FLORIDA  
WINTER 1970 - 1971

	<u>Predicted Peak 60 Min. Gross MW</u>	<u>Peak Capability MW</u>	<u>Reserve Margin Based On Peak Capability MW</u>	<u>Continuous Capability MW</u>	<u>Reserve Margin Based On Continuous Capability MW</u>
FPL	5488	5691	203	5167	-321
TEC	1144	1757	613	1669*	525
EPC	1800	2330	530	2218*	418
OUC	259	445	186	406*	147
JEA	<u>700*</u>	<u>1000*</u>	<u>300</u>	<u>951*</u>	<u>251</u>
Total	9391	11223	1832	10411	1020
			or 19.5%		

TABLE III  
POWER SUPPLY - PENINSULAR FLORIDA  
SUMMER 1971

	<u>Predicted Peak 60-Min. Gross MW</u>	<u>Peak Capability MW</u>		<u>Reserve Margin Based On Peak Capability MW</u>		<u>Continuous Capability MW</u>		<u>Reserve Margin Based On Continuous Capability MW</u>	
		<u>With TP 3</u>	<u>Without TP 3</u>	<u>With TP 3-</u>	<u>Without TP 3</u>	<u>With TP 3</u>	<u>Without TP 3</u>	<u>With TP 3</u>	<u>Without TP 3</u>
FPL	5488	6033	5345	545	-143	5804	5116	316	-372
TEC	1245	1777		532		1687*		442	
FPC	1880	2330		450		2218*		338	
OUC	302	430		128		395		93	
JEA	<u>878*</u>	<u>1300*</u>		<u>422</u>		<u>1236*</u>		<u>358</u>	
Total	9793	11870	11182	2077	1389	11340	10652	1547	859
				or	or				
				21.2%	14.2%				
			Less Northside 2						
					<u>-300</u>				<u>-285*</u>
					1089				574
					or				
					11%				

\* Estimated by HWP

TABLE IV

HWP  
6/19/69

POWER SUPPLY - PENINSULAR FLORIDA

AUGUST 1972

	<u>Predicted Peak 60-Min. Gross MW</u>	<u>Peak Capability MW</u>	<u>Reserve Margin Based On Peak Capability MW</u>	<u>Continuous Capability MW</u>	<u>Reserve Margin Based On Continuous Capability MW</u>
FPL	6105	7151 (1)	1046	6922	817
TEC	1351	1977	626	1878*	527
TPC	2040	2130 (2)	90	2013*	-27
OUC	331	430	99	395	64
JEA	<u>954*</u>	<u>1300*</u>	<u>346</u>	<u>1236*</u>	<u>282</u>
Total	10781	12988	2207 or 20.5% (3)	12444	1663

*(after 600mw study had been completed)*

- (1) TP 3 (728 mw), TP 4 (688 mw) and SN 4 (390 mw) in service. Only 220 mw gas turbines included.
- (2) Does not include CR 3 (751 mw)
- (3) Planned combined systems reserve for this summer was originally 21.7%. The figure of 20.5% is the net result of the addition by FPL of 220 mw gas turbines at Lauderdale and Sanford 4 (390 mw) and the delay of Crystal River 3 (751 mw).

\* Estimated by HWP

TABLE V  
POWER SUPPLY - PENINSULAR FLORIDA  
AUGUST 1973

	Predicted Peak 60-Min. Gross MW	Peak Capability MW		Reserve Margin Based On Peak Capability MW		Continuous Capability MW		Reserve Margin Based On Continuous Capability MW	
		With HI	Without HI	With HI	Without HI	With HI	Without HI	With HI	Without HI
FPL	6762	7991 <sup>(1)</sup>	7191	229	429	7762	6962	1000	200
TEC	1469	1977		508		1878*		409	
FPC	2210	2881 <sup>(2)</sup>		671		2713*		503	
OUC	363	430		67		395		32	
JEA	<u>1029</u>	<u>1300</u>		<u>271</u>		<u>1236*</u>		<u>207</u>	
Total	11833	14579	13779	2746	1946	13994	13104	2151	1351
				or 23.2%	or 16.4% <sup>(3)</sup>				
		Less Crystal River 3			<u>-751</u>				<u>-751</u>
					1195 mw				600
					or 10.1%				

- (1) Includes Turkey Point 3 and 4 at 728 mw each and Hutchinson Island (800 mw). Only 220 mw of gas turbines included.
- (2) Includes Crystal River 3 (751 mw).
- (3) Planned system combined reserve for the summer was originally 18%.

\* Estimated by HWP



TABLE VI  
POWER SUPPLY - PENINSULAR FLORIDA  
AUGUST 1973

	<u>Predicted Peak 60-Min. Gross MW</u>	<u>Peak Capability MW</u>	<u>Reserve Margin Based On Peak Capability MW</u>	<u>Continuous Capability MW</u>	<u>Reserve Margin Based On Continuous Capability MW</u>
FPL	6762	7191 <sup>(1)</sup>	429	6962	200
TEC	1469	2405 <sup>(2)</sup>	936	2285*	816
FPC	2210	2881 <sup>(3)</sup>	671	2713*	503
OUC	363	430	67	395	32
JEA	<u>1029*</u>	<u>1300*</u>	<u>271</u>	<u>1236*</u>	<u>207</u>
Total	11833	14207	2374	13591	1758
			or		
			20%		
		Less Crystal River 3	<u>-751</u>		<u>-751</u>
			1623		1007
			or		
			13.7%		

(1) Does not include Hutchinson Island (800 mw). Includes Turkey Point 3 and 4 at 728 mw each. Only 220 mw of gas turbines included.

(2) Includes Big Bend 2 (428 mw) moved from April 1974 to April 1973.

(3) Includes Crystal River 3 (800 mw).

\* Estimated by HWP

28

Interoffice memorandum, dated 6/24/69, H.W. Page to L. Johnson;  
subject: "Power Supply Peninsular Florida, 1972-1973."

**RECEIVED**  
FLORIDA POWER & LIGHT CO.

TO: Mr. Loftin Johnson

LOCATION: Miami, Florida  
DATE: June 24, 1969

JUN 25 1969

FROM: H. W. Page

COPIES TO

SUBJECT: Power Supply Peninsular **OFFICE**  
~~FILE ENGINEER~~ 1973

Messrs. R. H. Fite  
R. C. Fullerton  
J. Coughlin  
J. W. Keck  
H. V. Street

A memorandum dated June 19, 1969 discussed "Power Supply Peninsular Florida 1970 - 1971". This memorandum dated June 24 outlines the situation for the years 1972 - 1973. Its principal purpose is to define the seriousness of the 1973 situation and to suggest that consideration be given to advancing Tampa's Big Bend 2 from April 1974 to April 1973. I have been informed that this can be done, but a decision must be made immediately. Tampa, whose reserve will be low in 1973, is more than willing to move the unit forward and share the capacity.

The present memorandum assumes that FPL will bring Sanford 4 into service on schedule and that both Turkey Point 3 and 4 are in reliable service by the summer of 1972. Only the presently approved 220 mw of gas turbines are included in FPL's total capability. On our neighbors' systems, Big Bend 1, Crystal River 2 and Northside 2 are assumed to be in reliable service.

Three units are scheduled for 1972. Of these, FPL's Turkey Point 4 is expected to be in service in March, and FPL's Sanford in May. FPCorp's nuclear unit, Crystal River 3 is delayed at least until 1973.

Table IV shows individual and combined capabilities for August 1972. Crystal River 3 is not included, but combined situation is fair, reserves based on peak capability being 20.5%.

Table V shows individual and combined capabilities for August 1973 and without Hutchinson Island. There isn't much chance that Hutch Island will be ready so that FPL's reserve situation is precarious, the combined reserves based on peak capability are down to 16.4%, assuming that Crystal River 3 is in reliable service. If this latter unit does not attain reliable service, the combined reserves drop 10% based on peak capability.

With Hutchinson Island out of the picture for 1973, and if Crystal River 3 is further delayed, no new units will be starting up in Peninsular for Summer 1973 unless:

1. Either gas turbines or a steam unit is scheduled on an emergency basis, or,
2. Tampa's Big Bend 2 is moved up one year.

NO.	ROUTE TO	ANS
1	Street Divans Lewis Files 3	
	Stanos Files	
	Ayers	
	Metz	
	Prime	
	River 3 Wary Files	
	Stanley File Room	
	Distribution	
	Drafting	
	Mechanical	
2	Planning	
	Rel'y	
	Structural	
	Substation	
	Transmission	

Table VI has been prepared to show the situation if Big Bend 2 is advanced: FPL reserve is quite low, but the combined reserve on a peak capability basis is 20% if Crystal River 3 is ready. If this is not the case, the combined reserve drops to 13.7%. As shown on Table V, the combined reserve would be 10.1% if Big Bend is not advanced, and Crystal River 3 (and Hutchinson Island) is not available.

*HWP*

H. W. Page

HWP/ess

Attachments

29

Letter dated 7/9/69, F.S. Black, Tampa Electric Co., to R.H. Fite.

OFFICE OF THE PRESIDENT

TAMPA ELECTRIC COMPANY  
P. O. Box 111  
TAMPA, FLORIDA 33601

JUL 10 1969

July 9, 1969

Mr. R. H. Fite  
President  
Florida Power & Light Company  
P. O. Box 3100  
Miami, Florida

7/10/69  
RCF  
LJK  
JWP  
JC  
HVS/

Dear Bob:

On the basis of our earlier study and the recent data compiled by Harry Page, it appears the State of Florida will have very low generating capacity reserve margins for each year, 1970 through 1972. If Hutchinson Island cannot be in service in 1973, this would also be a critical year. We are concerned about the shortage of reserves in the state during this period. The reliability of large nuclear units, which will be unproven through this period, adds to the problem.

In summary, it appears that in August, 1973, the total Florida capability will be 13,779 MW compared with a peak 60-minute load of 11,833 MW. This leaves a reserve of only 1946 MW or 16.4%. Although this reserve is as high as that predicted for 1970, 1971 and 1972, it is not sufficient for the size of the largest units and the probable early performance of nuclear units, and is not properly distributed among the five systems. In addition, we might also question the load forecasts for 1973 since 1969 loads are far in excess of estimates.

In reviewing our own needs for additional generating capacity over the next five years, we have determined that we have adequate generation for anticipated loads and reserves for each year with the possible exception of 1973. In 1973, with our largest unit out for scheduled maintenance, the loss of our next largest unit and the likelihood of no help from our ties, we would be unable to carry all

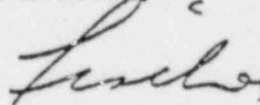
Page Two  
July 9, 1969  
Mr. R. H. Fite

load. We have considered the possibility of moving Big Bend No. 2 from its present schedule of March 31, 1974 to 1973, but the cost to do so for the amount of KW's desired is prohibitive.

In order to put Big Bend No. 2 in operation in the Spring of 1973, we must make the decision to proceed by the end of July. Would you be interested in purchasing a part of our Big Bend No. 2 if we moved it into the Spring of 1973?

Looking forward to hearing from you soon.

Sincerely,



Fischer S. Black

Copy to each of the following: 7/10/69

R. C. Fullerton  
J. W. Keck  
Loftin Johnson  
H. W. Page  
Jim Coughlin  
H. V. Street/Ernie Bivans

What do you think we should tell Fischer Black - assuming the charge for power would be reasonable?

RHF

✓ Copy to each of the following: 7/10/69

R. C. Fullerton  
J. W. Keck  
Loftin Johnson  
H. W. Page ✓  
Jim Coughlin  
H. V. Street/Ernie Bivans

What do you think we should tell Fischer  
Black - assuming the charge for power  
would be reasonable?

RHF



30

Interoffice memorandum, dated 7/14/69, J. Coughlin to R.H. Fite; subject: "Mr. Fisher Black's Letter re Big Bend No. 2."

251774

TO Mr. R. H. Fite  
FROM James Coughlin  
SUBJECT: Mr. Fischer Black's Letter re Big Bend No. 2

LOCATION Miami, Fla.  
DATE July 14, 1969

COPIES TO

OP

We recommend encouraging Mr. Black to bring Big Bend No. 2 into service in 1973 on his own. He would save a year's escalation which is very important under today's situation, particularly with labor. This move would also protect Tampa if Florida Power Corporation's Crystal River 3 (nuclear) unit is not reliable in 1973. I think Tampa is counting on this unit in their 1973 plans.

FPL has taken steps to cover our potential shortages by proceeding with 440 MW of gas turbines plus Sanford Unit 4 (400 MW). I believe Tampa should protect their own situation in a like manner by proceeding with Big Bend 2 for 1973.

Further, we could exercise alternate measures at a later date to assure the Hutchinson Island schedule, if this becomes necessary. Such measures could involve less expenditures on our part than purchasing a part of Big Bend 2. This would depend upon the type of monetary deal Mr. Black has in mind.

JC:rp

31 Letter, dated 7/15/69, R.H. Fite to F. Black, Tampa Electric  
Co.

251773 OP

July 15, 1969

Mr. Fischer Black, President,  
Tampa Electric Company  
P. O. Box 111  
Tampa, Florida 33601

Dear Fischer:

When your letter about purchasing power from Tampa in 1973 arrived, I asked a number of our folks to review it in detail. This we have done and today we had a discussion of your proposal.

From our analysis, we will not need any firm capacity in 1973. In that year, according to our estimates, we will have a reserve of better than 20%. We have just ordered another 600,000 kw of gas turbines, making a total of 660,000 kw gas turbines. In addition to the gas turbines, we have the plants scheduled to come on line by the spring of 1973.

I can appreciate your concern about adequate capability and I wish we could cooperate with you on this matter.

I shall look forward to seeing you tomorrow at the "underground" hearing.

With best wishes.

Sincerely yours,

Robert H. Mike  
President

32

Interoffice memorandum, dated 12/2/69, H.W. Page to L. Johnson;  
subject: "Power Supply Summer 1973."

FLORIDA POWER & LIGHT COMPANY  
INTER-OFFICE CORRESPONDENCE

DOCUMENT 32

TO Mr. Loftin Johnson  
FROM H. W. Page  
SUBJECT: Power Supply Summer 1973

LOCATION Miami, Florida  
DATE December 2, 1969

COPIES TO  
Messrs. R. C. Fullerton  
J. Coughlin  
J. W. Keck  
H. V. Street

At the request of Dr. Coughlin, we have contacted our neighbors to obtain up to date information on load estimates and power supply plans. This information is summarized on Attachment 1.

Using this information along with similar information on Florida Power & Light Company, we have prepared Attachment 2 to show for 1973 the situation for each of the five organizations, and for Peninsular Florida. Four cases are shown:

- Case 1 - Hutchinson Island and Crystal River nuclear units on schedule.
  - Case 2 - Hutchinson Island nuclear unit delayed.
  - Case 3 - Hutchinson Island and Crystal River nuclear units delayed.
  - Case 4 - Hutchinson Island and Crystal River nuclear units delayed.
- FPL adds Sanford 5 (400 mw) for Summer 1973.

There are strong possibilities that our 1973 Hutchinson Island nuclear unit and Florida Power Corporation 1973 Crystal River nuclear unit will be delayed. The effect of not having this 1600 mw available has been offset to some extent (918 mw) by Tampa Electric Company moving Big Bend 2 to 1973, Orlando committing for a unit to be in service in 1973, and FPCorp. buying additional gas turbines for 1970. If both the nuclear units are delayed and no further capacity is added before 1973, the reserve for Peninsular Florida will be 17%, and for our own system will be 9.8%. (These figures are based on peak capabilities and 60-minute gross peaks.) These reserves are far too low, and at face value present a strong argument for the addition of Sanford 5 in 1973 as per J. Coughlin's memorandum to Mr. Fullerton dated October 29, 1969. (Attachment 3)

Dr. Coughlin advises that a commitment must be made soon if Sanford 5 is to be operating in 1973. As an operating man I would certainly feel more secure if Sanford 5 were installed. However, there are many facets to be considered, (not the least being the present cost of money) and I believe that in the end the decision to go for the second 419 mw unit at Sanford in 1973 will depend principally on our judgment as to the expectable operating reliability of nuclear units in service in 1973.

Let us examine the interim period between now and 1973:

1. If it does not appear that Turkey Point 3 will be ready in 1971, FPL will be forced to install more gas turbines, perhaps as much as 600 mw.



2. The General Electric strike is now delaying the timing of Jacksonville's Northside 2 due in 1971. I am informed that if this delay becomes severe JEA will consider additional gas turbines. It would require around 150 mw to be firm.
3. Crystal River 3 nuclear is now scheduled for the end of 1972. If it does not appear that it will be ready for load for the summer of 1973, FPCorp. will undoubtedly be forced to consider gas turbines since its estimated peak is about 2387 mw for that summer, and its resources amount to only 2280 mw. This deficiency of 107 mw plus some required margin would call for up to 600 mw of gas turbines to be firm. Let us assume that they would compromise and install 300 mw of gas turbines. (They might be able to buy from the Southern Company.)

Thus between FPL, JEA and FPCorp. as much as 1000 mw of additional gas turbines might be installed in Peninsular Florida in the period 1971 - 1973. This would, of course, materially change the reserve picture, and would reduce the need for Sanford 5 to one of backup for the nuclear units in service.

The addition of Sanford 5 would bring FPL 1973 summer capability in the Sanford-Palatka area to 1871 mw. The load in the area will be about 1200 mw, so that 700 mw must be exported. According to Mr. Street's memorandum to Dr. Coughlin dated October 27, 1969, the transmission requirements for Sanford 5 will be at least \$5,400,000 (Attachment 4), \$600,000 of this would be on Florida Power Corporation system.

With the scarcity of power plant sites, we may wish to consider, if the price is right, designing and building the lake at Sanford for 800 mw even if Sanford 5 is not installed for 1973 operation. This would allow the full utilization of the site at any time.

HWP

H. W. Page

/ess

MEMORANDUM

From: H. W. Page

The following information was obtained November 26, 1969.

Tampa Electric Company - R. D. Welch

Load estimates have been reviewed - no appreciable change.  
Big Bend 1 (450 mw) has slipped from late June to late July 1970.  
Big Bend 2 (450 mw) is scheduled for Spring 1973.

Florida Power Corporation - G. F. Marks

Summer estimates have been increased about 8%.  
Crystal River 3 is still scheduled for late 1972.

Orlando Utilities Commission - H. C. Luff

Summer estimates have been increased about 10%.

A new unit has been committed for Indian River for commercial operation June 1973. To be engineered and constructed by Black & Veatch - on project management basis.

Turbine - 340 mw General Electric

Boiler - bids being evaluated

Plan to use dilution to meet thermal pollution problem.

Considered SO<sub>2</sub> removal by Combustion process - too expensive but will leave space in design.

Jacksonville Electric Authority - R. L. Thompson

Summer load estimates increased 1% or 2%.

Concerned about delay in Northside 2 on account of General Electric strike - unit now scheduled for June 1971.

Consultants have recommended 440 mw unit for 1974 and then 550 mw for 1979. Thompson wishes to consider two 500 mw units.

May consider additional gas turbines if Northside 2 is delayed.



POWER SUPPLY SUMMER 1973\*

Case 1 Hutchinson Island and Crystal River nuclear units on schedule.

	<u>FPL</u>	<u>FPC</u>	<u>TEC</u>	<u>OUC</u>	<u>JEA</u>	<u>Total</u>
Capability mw	8271	3031	2422	770	1255	15,749
Gross Peak mw (60 min.)	6760	2387	1469	396	1079	12,091
Reserve mw	1511	644	953	374	176	3,658
Reserve %	22.4	27.0	64.9	94.4	16.3	30.2

Case 2 Hutchinson Island nuclear unit delayed.

Capability mw	7421					14,899
Gross Peak mw (60 min.)	6760					12,091
Reserve mw	661					2,808
Reserve %	9.8					23.2

Case 3 Hutchinson Island and Crystal River nuclear units delayed.

Capability mw	7421	2280				14,148
Gross Peak mw (60 min.)	6760	2387				12,091
Reserve mw	661	-107				2,057
Reserve %	9.8					17.0

Case 4 Hutchinson Island and Crystal River nuclear units delayed.  
FPL adds Sanford 5 (400 mw) for summer 1973.

Capability mw	7821	2280				14,548
Gross Peak mw (60 min.)	6760	2387				12,091
Reserve mw	1061	-107				2,457
Reserve %	15.7					20.3

\*All cases include TEC Big Bend 2 (428 mw) June 1973

OUC Indian River 3 (340 mw) June 1973

FPC additional gas turbines (150 mw) 1970

These units have been scheduled since the analyses made in July 1969. FPC, OUC and JEA have raised their load estimates.

33

Deposition Testimony of Ernest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 5/1/81, Tr. 61.

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA.

GAINESVILLE REGIONAL UTILITIES, etc.,

Plaintiffs, :

vs. : 79-5101 CIV-JLK

FLORIDA POWER & LIGHT COMPANY, :

Defendant.. :

----- :

DEPOSITION OF ERNEST L. BIVANS, taken  
pursuant to Notice, held at the Offices of Florida  
Power and Light Company, 9650 W. Flagler Street,  
Miami, Florida, on August 25, 1981, commencing at or  
about 10:05 o'clock, a.m., before MARTIN B. LESHAW,  
Official Court Reporter and Notary Public for the  
State of Florida.

-----

1           A     There was a planning group -- not to do the  
2 joint planning. But it was a joint group to evaluate the  
3 plans of the other utilities, and to possibly discuss, make  
4 some long-range transmission plans or evaluate potential  
5 long-range plans, but they carried no recommendations as to  
6 who built the facilities or when the facilities were to be  
7 built or the obligation to build them.

8           Q     When you say "evaluate the plans" --

9                   MR. BOUKNIGHT: Are we through with Bivans  
10 Exhibit 2 for Identification?

11                   MR. GUTTMAN: I think so.

12           Q     When you say "evaluate the plans," what do  
13 you mean by "evaluate"?

14           A     Well, every system did their own planning,  
15 and periodically the system planning subcommittee ran  
16 studies to coordinate each utility's plans to study how  
17 they worked together, whether there was any weaknesses or  
18 whether there were any changes that maybe should be  
19 considered.

20           Q     Is that to say that, if it was felt the  
21 changes should be considered, the study group said so?

22           A     If they found any weakness at that point to  
23 weed it out, yes.

24           Q     When you said "evaluate the plans of the  
25 other systems," what were the other systems that you

34

Deposition Testimony of George Kinsman, taken in Lake Worth Utilities Authority, et al. v. FPL, supra, 5/1/81, Tr. 293-294.

1 UNITED STATES DISTRICT COURT OF THE  
2 SOUTHERN DISTRICT OF FLORIDA

DOCUMENT 34

3 Case No. 79-5101-Civ-JLK

4 THE CITY OF GAINESVILLE AND THE GAINESVILLE- )  
5 ALACHUA COUNTY REGIONAL UTILITIES BOARD, THE )  
6 LAKE WORTH UTILITIES AUTHORITY, THE UTILITIES )  
7 COMMISSION OF NEW SMYRNA BEACH, THE SEBRING )  
8 UTILITIES COMMISSION, THE CITIES OF ALACHUA, )  
9 BARTOW, FT. MEADE, HOMESTEAD, KISSIMMEE, )  
10 MOUNT DORA, NEWBERRY, ST. CLOUD, STARKE and )  
11 TALLAHASSEE, FLORIDA, )

12 Plaintiffs, )

13 vs. )

14 FLORIDA POWER AND LIGHT, )

15 Defendant. )  
16 )  
17 )  
18 )

19 Southeast 1st National Bank Bldg  
20 Miami, Florida  
21 Friday, May 1, 1981  
22 9:12 o'clock a.m.

23 DEPOSITION OF GEORGE KINSMAN (Continued)

24 Taken before MARTIN B. LESHAW, Official Court Reporter and  
25 Notary Public in and for the State of Florida at Large,  
pursuant to Notice of Taking Deposition filed in the above-  
styled cause.

NEW YORK  
18 COURT ST.  
BROOKLYN, N.Y.  
(212) TR 5-2442

NATIONAL REPORTING SERVICE  
MARTY LESHAW

OFFICIAL COURT REPORTER

CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT, DADE COUNTY, FLA.

MIAMI  
44 W. FLAGLER ST.  
(305) 373-7298

1 it says, "We reduce the uncertainties by negotiating  
2 favorable commercial terms." Who actually did the  
3 negotiations?

4 A Mr. Smith.

5 Q Were you involved in the negotiations?

6 A No, not as to decisions as to "yes" or "no"  
7 or "how much."

8 Q Was Mr. Gardner?

9 A Yes, I'm sure he was. He was Mr. Smith's  
10 executive assistant at the time.

11 Q Do you have personal knowledge of those  
12 negotiations?

13 A Some aspects of it, yes, certain levels.  
14 Not the final -- well, "sign right here," no.

15 Q Is your knowledge complete; do you know  
16 everything that went on in the negotiations?

17 A No. There is not one person that knows  
18 everything.

19 Q Were you sharing reserves with Tampa and  
20 Florida Power in 1965; did you have reserve-sharing  
21 arrangements?

22 A I don't know what you mean.

23 Q Of course, you know what generating electric  
24 reserves are.

25 A Well, we operate the three systems as one

1 operation. Each depends on what their plants put out. If  
2 we had power and they needed it, they got it. And vice-  
3 versa.

4 Q This was in the '60's?

5 A Yes.

6 Q At the time that you were planning the  
7 Turkey Point units and the St. Lucie units, you were  
8 engaging in this kind of --

9 MR. RUPP: Objection.

10 MR. GUTTMAN: I will withdraw the question.  
11 There have been some documents which were  
12 not adequately readable or legible.

13 MR. RUPP: We have been spending a great  
14 deal of time in connection with the requests that you made  
15 after the Gardner deposition.

16 What we are finding -- and it's not altogether  
17 complete -- all documents responsive to your original  
18 request were turned over and we're really not going to be  
19 that favorably disposed to a rolling request after each  
20 deposition.

21 MR. GUTTMAN: You are in a position to  
22 reciprocate. I'm not trying to make a big deal in the  
23 record. I'm merely saying that we should discuss it --

24 MR. RUPP: In a company like Florida Power  
25 & Light, we will comply in good faith, as we have. It

NEW YORK  
18 COURT ST.  
BROOKLYN, N.Y.  
(212) TR 5-2442

NATIONAL REPORTING SERVICE  
MARTY LESHAW  
OFFICIAL COURT REPORTER  
CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT, DADE COUNTY, FLA.

MIAMI  
44 W. FLAGLER ST.  
(305) 373-7298



36

Deposition Testimony of Ernvest L. Bivans, taken in Lake Worth Utilities Authority, et al. v. [redacted], supra, 8/26/81, Tr. 241-243.

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF FLORIDA

DOCUMENT 36

1  
2  
3 GAINESVILLE REGIONAL UTILITIES, etc., :

4 Plaintiffs, :

5 vs. : 79-5101 CIV-JLK

6 FLORIDA POWER & LIGHT COMPANY, :

7 Defendant. :

8 ----- :

9  
10  
11  
12  
13 DEPOSITION OF ERNEST L. BIVANS, taken

14 pursuant to Notice, held at the Offices of Florida Power  
15 & Light Company, 9650 West Flagler Street, Miami, Florida,  
16 on August 26, 1981, commencing at or about 9:25 a.m.  
17 before MARTIN B. LESHAW, Official Court Reporter and Notary  
18 Public for the State of Florida.

19  
20 -----  
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23  
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25

1 (Thereupon, the document referred  
2 to was marked as Bivans Exhibit  
3 No. 19 for Identification.)

4 Q Do you recall seeing this previously, the  
5 document of August 2, 1951, apparently from Mr. Street to  
6 Mr. Kinsman, or perhaps the other way around, with an  
7 attachment entitled, "Tampa Interconnection," and the line  
8 underneath it appears to be blurred.

9 MR. BOUKNIGHT: Would you agree that much  
10 of this document is illegible?

11 MR. GUTTMAN: It's not the most legible  
12 document we have seen in our lives.

13 Q My question is, do you recall having seen  
14 this document?

15 A I don't recall seeing it per se. I possibly  
16 did.

17 Q Looking at page 3, and --

18 MR. GUTTMAN: If you want to object -- this  
19 is the best copy, to my ability, that we can produce.

20 MR. BOUKNIGHT: Are you asking him to look  
21 at numbered page 3?

22 MR. GUTTMAN: Yes, which is page four.

23 Q The paragraph on the bottom appears to be,  
24 "Three Means of Providing" --

25 MR. BOUKNIGHT: I don't see any of that.

1 MR. GUTTMAN: Here.

2 MR. BOUKNIGHT: Numbered page 2.

3 MR. GUTTMAN: Yes.

4 MR. BOUKNIGHT: The third page of the  
5 exhibit?

6 MR. GUTTMAN: Yes.

7 Q There is a heading, "Three Means of Providing  
8 Firm Power to the West Coast." Can you tell, from reading  
9 that, what the meaning of "firm power" is in this context?

10 A Firm power supply.

11 Q As I read this, item C indicates that an  
12 interconnection with Tampa Electric would be one means of  
13 providing interchange supply?

14 A All three. One would be to install more  
15 generation on the West Coast to provide for the event of  
16 loss of transmission; or, second, to build another  
17 transmission line across the State and not install any  
18 more generation at Sarasota; the third would be to estab-  
19 lish an interconnection with Tampa Electric Company.

20 Q Do you recall whether Florida Power & Light  
21 did establish an interconnection at Bradenton, Tampa,  
22 shortly after or sometime after this '51 document?

23 A Yes.

24 Q This says 66 KV. Do you recall what it was?

25 A Later we called it 69 KV. Later it was

1 rebuilt to 138 KV. Later it was rebuilt and converted  
2 to 230 KV.

3 Q Do you know if Florida Power & Light went  
4 ahead and provided the 35 MW unit at Sarasota, as provided  
5 in item 1-A?

6 A No. As a matter of fact, later we dismantled  
7 the Sarasota plant and it was moved to Freeport.

8 Q Freeport, in the Bahamas?

9 A Yes.

10 Q I presume that's not your service territory?

11 A No. We sold it.

12 Q You sold the Bahamas?

13 A No. We sold the unit and it was dismantled  
14 and re-erected in the Bahamas.

15 MR. GUTTMAN: I would like to show Mr.  
16 Bivans another old document, and it's Xeroxed as perfectly  
17 as possible. It was used in Mr. Fite's deposition as No.  
18 29. It appears to be the 1954 interchange agreement with  
19 Tampa.

20 Q I want to ask you if, to your knowledge,  
21 it is what it is, what I have suggested it is.

22 MR. GUTTMAN: It's a two-page letter from  
23 Mr. McKinley, M-c-K-i-n-l-e-y, the vice president of Tampa  
24 Electric, to Mr. Kinsman, K-i-n-s-m-a-n, of Florida Power  
25 & Light.

APPENDIX B

Excerpts from Section 68 of the American Law Institute's  
Tentative Draft No. 4, April 15, 1977, Restatement of the Law,  
Second, Judgments.

JUN 8 1977

PLEASE BRING THIS DRAFT  
TO THE ANNUAL MEETING

The American Law Institute

RESTATEMENT OF THE LAW  
SECOND

JUDGMENTS

Submitted by the Council to the Members of The American Law  
Institute for Discussion at the Fifty-fourth Annual Meeting  
on May 17, 18, 19, and 20, 1977

*Tentative Draft No. 4*

SUBJECTS COVERED:

- Part I.
  - Chapter 3. Former Adjudication: The Effects of Judicial  
Judgments Rendered in Civil Actions
    - Topic 2. Personal Judgments
      - Title E. Issue Preclusion
- Part II.
  - Chapter 4. Parties and Other Persons Affected by Judgments
    - Topic 2. Substantive Legal Relationships Resulting in  
Preclusion

April 15, 1977

The Executive Office  
THE AMERICAN LAW INSTITUTE  
4025 Chestnut Street  
Philadelphia, Pa. 19104

C. 1

133070

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JUN 13 1977

is to be distinguished from a case in which there are alternative bases for a determination that is essential to the judgment. In such a case, failure to appeal from that determination cannot be attributed to the losing party's anticipation that the judgment will be affirmed on other grounds. Thus relitigation of the issue so determined is properly precluded under the rule of this Section. (See Illustration 16.)

**Illustrations:**

15. A brings an action against B to recover interest on a promissory note payable to A, the principal not yet being due. B alleges that he was induced by the fraud of A to execute the note, and further alleges that A gave him a binding release of the obligation to pay interest. The court, sitting without a jury, finds that B was induced by A's fraud to execute the note and also finds that A had given him a binding release of the obligation to pay interest. Judgment for B is not appealed. After the note matures, A brings an action against B for the principal of the note. The prior judgment is not a defense to the action, and the issue of fraud must be relitigated if B chooses to raise it.

16. The facts of the first action are as stated in Illustration 15, but in the second action A sues for another installment of interest before the principal becomes due. The determination that B is not liable for interest on the note is conclusive, even though there were alternative bases for that determination.

*j. Determinations essential to the judgment.* It is sometimes stated that even when a determination is a necessary step in the formulation of a decision and judgment, the determination will not be conclusive between the parties if



it relates only to a "mediate datum" or "evidentiary fact" rather than to an "ultimate fact" or issue of law. It has also been stated that even a determination of "ultimate fact" will not be conclusive in a later action if it constitutes only an "evidentiary fact" or "mediate datum" in that action. Such a formulation is occasionally used to support a refusal to apply the rule of issue preclusion when the refusal could more appropriately be based on the lack of similarity between the issues in the two proceedings. If applied more broadly, the formulation causes great difficulty, and is at odds with the rationale on which the rule of issue preclusion is based. The line between ultimate and evidentiary facts is often impossible to draw. Moreover, even if a fact is categorized as evidentiary, great effort may have been expended by both parties in seeking to persuade the adjudicator of its existence or nonexistence and it may well have been regarded as the key issue in the dispute. In these circumstances the determination of the issue should be conclusive whether or not other links in the chain had to be forged before the question of liability could be determined in the first or second action.

The appropriate question, then, is whether the issue was actually recognized by the parties as important and by the trier as necessary to the first judgment. If so, the determination is conclusive between the parties in a subsequent action, unless there is a basis for an exception under § 68.1—for example, that the significance of the issue for purposes of the subsequent action was not sufficiently foreseeable at the time of the first action.

#### Illustrations:

17. A brings an action against C to recover for personal injuries caused in an automobile accident involving a car driven by B and owned by C. A alleges

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that C is liable for B's negligence because B was driving with C's express or implied permission within the meaning of applicable state law making an owner liable in such circumstances. The action is defended by C's insurer; at the trial, the evidence is in conflict as to whether B was employed by C at the time of the accident and whether he was driving the car on C's business or on a frolic of his own. After trial, verdict and judgment are given for A, with explicit findings that B was C's employee and was driving the car within the scope of his employment at the time of the accident. When C fails to satisfy the judgment, A brings an action against C's insurer to collect the proceeds of the policy. C's insurer is precluded from defending on the basis of a clause in the policy limiting coverage to accidents caused by the owner or by persons acting within the scope of their employment by the owner. Although the “ultimate” question in the first action was one of express or implied permission to use the car, the finding as to scope of employment precludes relitigation of that issue in the second action. (Note: C's insurer, having defended the first action, is bound to the same extent as C. [See §107.]

18. A, an attorney, brings an action against B, an attorney, for a declaratory judgment as to the rights and interests of the parties in certain attorneys' fees collected by B. At trial, there is a conflict in the evidence with respect to the terms of an oral agreement between A and B, and in particular with respect to the date after which all fees received would be shared. After trial, judgment is given for B on the basis that A had no right or interest in the fees in question. There is an explicit finding that the fee-sharing agreement between A and B did not apply to sums collected

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TO THE ANNUAL MEETING

The American Law Institute

RESTATEMENT OF THE LAW  
SECOND

JUDGMENTS

Submitted by the Council to the Members of The American Law  
Institute for Discussion at the Fifty-fourth Annual Meeting  
on May 17, 18, 19, and 20, 1977

*Tentative Draft No. 4*

SUBJECTS COVERED:

Part I.

Chapter 3. Former Adjudication: The Effects of Judicial  
Judgments Rendered in Civil Actions

Topic 2. Personal Judgments  
Title E. Issue Preclusion

Part II.

Chapter 4. Parties and Other Persons Affected by Judgments

Topic 2. Substantive Legal Relationships Resulting in  
Preclusion

April 15, 1977

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Philadelphia, Pa. 19104

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is to be distinguished from a case in which there are alternative bases for a determination that is essential to the judgment. In such a case, failure to appeal from that determination cannot be attributed to the losing party's anticipation that the judgment will be affirmed on other grounds. Thus relitigation of the issue so determined is properly precluded under the rule of this Section. (See Illustration 16.)

**Illustrations:**

15. A brings an action against B to recover interest on a promissory note payable to A, the principal not yet being due. B alleges that he was induced by the fraud of A to execute the note, and further alleges that A gave him a binding release of the obligation to pay interest. The court, sitting without a jury, finds that B was induced by A's fraud to execute the note and also finds that A had given him a binding release of the obligation to pay interest. Judgment for B is not appealed. After the note matures, A brings an action against B for the principal of the note. The prior judgment is not a defense to the action, and the issue of fraud must be relitigated if B chooses to raise it.

16. The facts of the first action are as stated in Illustration 15, but in the second action A sues for another installment of interest before the principal becomes due. The determination that B is not liable for interest on the note is conclusive, even though there were alternative bases for that determination.

*j. Determinations essential to the judgment.* It is sometimes stated that even when a determination is a necessary step in the formulation of a decision and judgment, the determination will not be conclusive between the parties if

it relates only to a "mediate datum" or "evidentiary fact" rather than to an "ultimate fact" or issue of law. It has also been stated that even a determination of "ultimate fact" will not be conclusive in a later action if it constitutes only an "evidentiary fact" or "mediate datum" in that action. Such a formulation is occasionally used to support a refusal to apply the rule of issue preclusion when the refusal could more appropriately be based on the lack of similarity between the issues in the two proceedings. If applied more broadly, the formulation causes great difficulty, and is at odds with the rationale on which the rule of issue preclusion is based. The line between ultimate and evidentiary facts is often impossible to draw. Moreover, even if a fact is categorized as evidentiary, great effort may have been expended by both parties in seeking to persuade the adjudicator of its existence or nonexistence and it may well have been regarded as the key issue in the dispute. In these circumstances the determination of the issue should be conclusive whether or not other links in the chain had to be forged before the question of liability could be determined in the first or second action.

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**Illustrations:**

17. A brings an action against C to recover for personal injuries caused in an automobile accident involving a car driven by B and owned by C. A alleges

## Topic 2. Personal Judgments

§ 68

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18. A, an attorney, brings an action against B, an attorney, for a declaratory judgment as to the rights and interests of the parties in certain attorneys' fees collected by B. At trial, there is a conflict in the evidence with respect to the terms of an oral agreement between A and B, and in particular with respect to the date after which all fees received would be shared. After trial, judgment is given for B on the basis that A had no right or interest in the fees in question. There is an explicit finding that the fee-sharing agreement between A and B did not apply to sums collected

before January 1971, and that the fees in question were collected before that date. In a subsequent action by A against B for a share of fees collected by B after the first action was instituted but before January 1971, A is precluded from showing that his agreement with B extended to these fees.

*k. Requirement of a valid, final judgment.* The requisites of a valid judgment are set forth in [§§ — —], and the definition of a final judgment may be found in § 41. Particular reference is made to the distinction in § 41 between finality for purposes of merger and bar and finality for purposes of issue preclusion. Pursuant to this distinction, a litigation may have reached a stage at which issue preclusion is appropriate even though claim preclusion—application of the rules of merger and bar—is not.

*l. Effect on pending action.* If two actions are pending between the same parties which involve the same issue, it is the first final judgment rendered in one of the actions which becomes conclusive in the other action, regardless of which action was brought first. (See § 41.1.)

*m. Inconsistent judgments.* If in two successive actions between the same parties the same issue is actually litigated and determined, and that issue arises in a third action between the parties, the rules for determining which judgment is conclusive with respect to that issue are those set forth in § 41.2.

*n. Judgment not precluding another action on the same claim.* A judgment that does not preclude another action on the same claim—one that is not a bar—may have collateral as well as direct estoppel effects. See § 48.1, Comment *b*. If, however, a judgment of dismissal is wholly without prejudice, then it has no conclusive effect between the parties in a subsequent action on the same or a different claim.

[Excerpt from Reporter's Note]

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In support of the first paragraph of this Comment, see, *e.g.*, *Glass v. United States Rubber Co.*, 382 F.2d 378 (10th Cir. 1967); *Stout v. Pearson*, 180 Cal. App. 2d 211, 4 Cal. Rptr. 313 (1960); *In re Breuer's Income Tax*, 354 Mo. 578, 190 S.W.2d 248 (1945); *cf. Larsen v. Larsen*, 392 Pa. 609, 141 A.2d 353 (1958).

In support of the second paragraph of this Comment, see, *e.g.*, *Dobbins v. Title Guar. & Trust Co.*, 22 Cal. 2d 64, 136 P.2d 572 (1953); *Wishniewsky v. Town of Saugus*, 352 Mass. 191, 89 N.E.2d 783 (1950); *Eidelberg v. Zellermyer*, 5 A.D.2d 658, 174 N.Y.S.2d 300 (1958), *aff'd*, 6 N.Y.2d 815, 159 N.E.2d 691 (1959).

*Comment h* is substantially the same as *Comment o* to § 68 in the first Restatement. Illustrations 13 and 14 are drawn from Illustrations 9 and 11 to § 68 in the first Restatement.

In support of this Comment, see, *e.g.*, *Fibreboard Paper Prods. Co. v. East Bay Union of Machinists*, 344 F.2d 300 (9th Cir. 1965); *Paine & Williams Co. v. Baldwin Rubber Co.*, 113 F.2d 840 (6th Cir. 1940); *Estate of Simmons*, 64 Cal. 2d 217, 411 P.2d 97 (1966); *Colditz v. Eastern Airlines, Inc.*, 329 F. Supp. 691 (S.D.N.Y. 1971); *Thal v. Krawitz*, 365 Pa. 110, 73 A.2d 376 (1950). But see *Choctaw Nation v. United States*, 135 F. Supp. 536 (Ct. Cl. 1955); *Home Owners Fed. Sav. & Loan Ass'n v. Northwestern Fire and Marine Ins. Co.*, 354 Mass. 448, 455, 238 N.E.2d 55, 59 (1968). (In the last cited decision, a divided court modified its prior rule, as stated in *Cambria v. Jeffery*, 307 Mass. 49, 29 N.E.2d 555 (1940), and held that a finding "not strictly essential" may be relied upon if the issue underlying it was "treated as essential to the prior case by the court and the party to be bound." The decision may also rest, however, on the doctrine of preclusion of inconsistent positions. [See § —.]

*Comment i* takes a position contrary to that taken in *Comment n* to § 68 in the first Restatement. The cases on this question of the effect of alternative determinations are not numerous, and some are unclear in their rationale. A recent decision, *Halpern v. Schwartz*, 426 F.2d 102 (2d Cir. 1970), after fully canvassing the authorities, concludes that preclusion should not apply in such a case. Although the question is a close and difficult one, the reasoning of the court is highly persuasive and is adopted as the basis of this Comment and of the result in Illustration 15. See also *Developments in the Law—Res Judicata*, 65 Harv. L. Rev. 818, 845 (1952). As the Halpern case indicates, only a few decisions seem squarely inconsistent with this position.

*Comment j* deals primarily with the matter dealt with in *Comment p* to § 68 in the first Restatement, as amended in 1948 in light



of *Evergreens v. Nunan*, 141 F.2d 927 (2d Cir. 1944). The approach taken in the present Comment, however, is different. Instead of emphasizing the distinction between ultimate facts on the one hand and evidentiary facts or mediate data on the other, the present text states that the question should be whether the issue was actually recognized by the parties as important and by the adjudicator as necessary to the first judgment.

Illustration 17 was suggested by *Hinchey v. Sellers*, 7 N.Y.2d 287, 165 N.E.2d 156 (1959), noted, 74 Harv. L. Rev. 421 (1960). Illustration 18 was suggested by *Zabriskie v. Zoloto*, 22 A.D.2d 620, 257 N.Y.2d 965 (1965).

In both Illustrations 17 and 18, and the cases from which they were drawn, it could perhaps be argued that even under the ultimate-mediate distinction, preclusive effect could properly have been given to the first finding. But this suggests the inherent vagueness of the distinction and its difficulty of application. This difficulty has been recognized, and the distinction criticized by a number of commentators, e.g., *Developments in the Law—Res Judicata*, 65 Harv. L. Rev. 818, 842-43 (1952); James, *Civil Procedure* § 11.20 (1965); 1B Moore, *Federal Practice* ¶ 0.442[2] (2d ed. 1965); Rosenberg, *Collateral Estoppel in New York*, 44 St. Johns L. Rev. 165, 184-85 (1969), Vestal, *Preclusion/Res Judicata Variables: Nature of the Controversy*, 1965 Wash. U.L.Q. 158, 175-77. The formulation stated here is in accord with that suggested in several of these commentaries, and relies especially on that put forward by the Harvard Law Review case note on *Hinchey v. Sellers* and by Professor James. It recognizes that the real dangers in attaching preclusive effect to subsidiary findings are (1) that such effect will be given to determinations of issues that were not seriously contested and may have been barely relevant and (2) that determinations may have wholly unforeseeable consequences. The first of these dangers is sought to be avoided by the text of Comment j and the second by Subsection (e) (ii) of § 68.1.

There are a number of decisions, including some that purport to rest on the ultimate-mediate distinction, that are more readily harmonized with the present formulation than with that in the first Restatement. See, e.g., *Ashe v. Swenson*, 397 U.S. 436 (1970) (criminal case); *Laughlin v. United States*, 344 F.2d 187 (D.C. Cir. 1965) (criminal case); *United States v. Kramer*, 289 F.2d 909 (2d Cir. 1961) (criminal case); *Paine & Williams Co. v. Baldwin Rubber Co.*, 113 F.2d 840, 842 (6th Cir. 1940) (dictum); *Palma v. Powers*, 295 F. Supp. 924, 933-34 (N.D. Ill. 1969) (civil action in which collateral estoppel effect is given to determination in prior criminal proceeding); *United States v. Cathcard*, 70 F. Supp. 653

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(D. Neb. 1946) (semble); *Zabriskie v. Zoloto*, *supra*; *Hinchey v. Sellers*, *supra*; *Township of Brick v. Vanell*, 55 N.J. Super. 583, 151 A.2d 404 (1959); *cf.* *Hyman v. Regenstein*, 258 F.2d 505, 510-11 (5th Cir. 1958) (stressing the significance of foreseeability); *Farmington Dowel Prods Co. v. Forster Mfg. Co., Inc.*, 421 F.2d 61, 79 (1st Cir. 1969) (in analyzing several Supreme Court decisions involving the "prima facie" effect of judgments under the Clayton Act, 15 U.S.C. § 16(a), the court states: "[W]hen two adversaries concentrate in attempting to resolve an issue importantly involved in a litigation, there is no unfairness in considering that issue settled for all time between the parties and those in their shoes. But . . . it is unfair to close the door to issues which have not been on stage center, for there is no knowing what the white light of controversy would have revealed.") But see, *e.g.*, *Yates v. United States*, 354 U.S. 298, 335-38 (1957); *Grandview Dairy, Inc. v. Jones*, 157 F.2d 5 (2d Cir. 1946) (alternative ground); *Moore v. United States*, 246 F. Supp. 19 (N.D. Miss. 1965); *Abeles v. Wurdack*, 285 S.W.2d 544 (Mo. 1956); *Mazzilli v. Accident & Cas. Ins. Co.*, 26 N.J. 307, 139 A.2d 741 (1958), reversing 45 N.J. Super. 137, 131 A.2d 546 (1957); *Turner v. Bragg*, 117 Vt. 9, 83 A.2d 511 (1951); *Paulos v. Janetakos*, 46 N.M. 390, 129 P.2d 636 (1942).

*Comments k, l, and m* are drawn from *Comments b, s, t, and u* to § 68 in the first Restatement, but special reference is made to the rule that a judgment not final for purposes of merger and bar may be final for purposes of issue preclusion. See § 41.

*Comment n* is drawn from *Comment r* to § 68 in the first Restatement, but has been modified to make clear that a judgment may preclude relitigation of an issue even though it does not preclude relitigation of the claim. See cases cited in Reporter's Note to § 48.1, *Comment b*.

*Comment o* is drawn from § 69(1) in the first Restatement, and from *Comments a and b* to that Subsection. (The effect of a judgment on appeal resting on alternative determinations is to be contrasted with the effect of a judgment of a court of first instance resting on alternative determinations, discussed in *Comment i*.) This material, relating to the effect of a judgment on appeal, may be considered as an aspect of the general rule of issue preclusion, not requiring discussion in a separate section.

There are sometimes special statutory provisions that modify the rules stated in this Section. For example, § 5(a) of the Clayton Act, 15 U.S.C. § 16(a), provides that certain final judgments or decrees in favor of the United States in antitrust cases "shall be prima facie evidence against . . . [the] defendant in any action or

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Florida Power & Light Company ) Docket No. 50-389A  
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(St. Lucie Plant, Unit No. 2) ) Florida Cities  
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served on the following by deposit in the United States mail, first class, postage prepaid, this 26th day of January, 1982.

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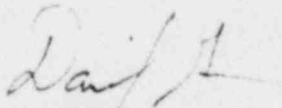
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