

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 981360-EI Date Docketed: 10/20/1998 Title: Petition by Florida Power Corporation for waiver of Rule 25-22.082, F.A.C., Selection of Generating Capacity.
 Company: Florida Power Corporation

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____
 ("(") indicates OPR)

ADH AFA APP CAF CHU (EAG) GCL LEG RAR RRR WAW
 _____ _____ _____ _____ _____ _____ _____ X _____ _____ _____ _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module All(b)

Staff Assignments

OPR Staff K Dudley

Staff Counsel B Elias

OCRs () _____

() _____

() _____

() _____

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**
 Current CASR revision level

0

Due Dates

Previous Current

1. FAW Notice Filed	NONE	10/29/1998
2. Staff Recommendation	NONE	12/22/1998
3. Agenda - Regular	NONE	01/05/1999
4. Standard Order	NONE	01/15/1999
5. Close Docket or Revise CASR	NONE	02/15/1999
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 10/30/1998

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JW	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JW	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: *A. Lam*
 Date: 10/30/1998

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Time Schedule

Program/Module All(b)

Staff Assignments

<u>OPR Staff</u>	_____

<u>Staff Counsel</u>	_____
<u>OCRs ()</u>	_____

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Due Dates

Previous Current

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Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		

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Commissioners					ADM
JN	DS	CL	GR	JC	

where panels are assigned the senior Commissioner is Panel Chairman:
 the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is
 assigned the full Commission decides the case.

Approved: _____

Date: / / _____

MEMORANDUM

FEBRUARY 8, 1999

RECEIVED FPSC

30 FEB -8 PM 2:06

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (ELIAS) *RVE*

RE: DOCKET NO. 981360-EI - PETITION BY FLORIDA POWER
CORPORATION FOR WAIVER OF RULE 25-22.082, FAC., SELECTION
OF GENERATING CAPACITY

0232-FOP

Attached is a Notice of Proposed Agency Action - ORDER DENYING
PETITION FOR RULE WAIVER, with attachments, to be issued in the
above-referenced docket. (Number of pages in order - 12)

RVE/js

Attachment

cc: Division of Electric and Gas (Jenkins, Trapp, Dudley)

Division of Auditing and Financial Analysis (Salak, Maurey)

I:981360or.rve

see 2,10

6/8

RAR

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

December 30, 1998

RECEIVED PSC
98 DEC 30 PM 2:25
REGULATORY AND
REPORTING

Mr. James Stanfield
Florida Power Corporation
770 Highpoint Center
106 E. College Avenue
Tallahassee, FL 32301

RE: *Docket No. 981360-EI*

Sent via facsimile and regular mail

Dear Mr. Stanfield:

I write to confirm our telephone conversation of this morning, concerning the time afforded the Commission to rule on Florida Power Corporation's request for a waiver of Rule 25-22.082(2), Florida Administration Code.

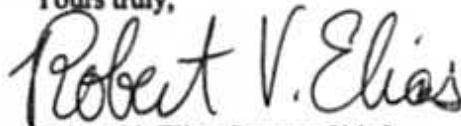
The petition was filed on October 20, 1998. Section 120.542(8), Florida Statutes, requires an agency to "grant or deny a petition for variance or waiver within 90 days after receipt of the original petition." In the instant case, the 90 days runs on January 18, 1999. January 18, 1999, is Martin Luther King day, a legal holiday designated in Section 110.117, Florida Statutes.

Rule 28-106.103, Florida Administrative Code (The Uniform Rules of Procedure) provides that when the last day of a time period is a legal holiday, "the period shall run until the next day which is not a Saturday, Sunday or legal holiday." Thus, the time period for a Commission decision does not run until January 19, 1999.

Mr. James Stanfield
Page 2
December 30, 1998

It is my understanding that Florida Power Corporation agrees that the time for granting or denying this request runs on January 19, 1999. If my calculations are incorrect, or you disagree with my reading of the applicable statutes, please let me know.

Yours truly,

A handwritten signature in cursive script that reads "Robert V. Elias".

Robert V. Elias, Bureau Chief
Division of Legal Services

cc: Joe Jenkins (Division of Electric and Gas)



FECA

Florida Electric Cooperatives Association, Inc.

2016 Apalachee Parkway
P.O. Box 590
Tallahassee, Florida 32302
(850) 877-6166
FAX: (850) 656-5485

RECEIVED FPSC

98 NOV -3 AM 11:05

REC'D AND
REPORTING

November 2, 1998

Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

Dear Ms. Bayo:

Please accept this letter as our official request to be put on the mailing list for the following docket(s):

Docket No. 981356-EG
981360-EI
981390-EI
981396-EI

Thank you for your assistance in this matter.

Sincerely,

Michelle Hershel
Director of Regulatory
Services

attached 11-1-98

MH/hd

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

October 21, 1998

James A. McGee, Esquire
Florida Power Corporation,
Post Office Box 14042
St. Petersburg, Florida 33733-4042

Re: Docket No. 981360-EI

Dear Mr. McGee:

This will acknowledge receipt of a petition by Florida Power Corporation for waiver of Rule 25-22.082, F.A.C., Selection of Generating Capacity, which was filed by this office on October 20, 1998 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Division of Records and Reporting
Florida Public Service Commission