

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Generic Investigation Into ) Docket No. 981890-EU
The Aggregate Electric Utility )
Reserve Margins Planned for )
Peninsular Florida ) Submitted for filing: September 9, 1999

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MOTION OF THE FLORIDA RELIABILITY COORDINATING COUNCIL, INC. FOR EXTENSION OF TIME TO FILE REBUTTAL TESTIMONY

The Florida Reliability Coordinating Council, Inc., (FRCC), by and through its undersigned counsel, files its Motion for Extension of Time to File Rebuttal Testimony pursuant to Florida Administrative Code Rule 28-106.204. FRCC joins in the Motions for Extension of Time to File Rebuttal Testimony filed by Florida Power & Light Company ("FPL") and Tampa Electric Company (TECO), and joined in by Florida Power Corporation, and requests that the time to file rebuttal testimony be extended to October 4, 1999.

1. FRCC adopts the arguments and statements of FPL and TECO in support of the requested extension of time. In addition, as a collective organization, the FRCC must engage in extended communication among its members and staff in order to arrive at a consensus as to the content of any testimony to be filed on behalf of the organization. The time provided for rebuttal testimony in response to the direct testimony of the Commission Staff is insufficient to permit the FRCC to finalize its review of its proposed rebuttal testimony.

2. It is critical that the parties be afforded adequate time to prepare their rebuttal to the Staff's prefiled direct testimony, as it may be the only opportunity for the parties to present any testimony in rebuttal to the Staff. The Commission has taken the position that this proceeding is a formal proceeding under Section 120.57, Florida Statutes. That statute provides the parties to any formal proceeding with the right to present testimony and evidence at hearing, which is

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normally accomplished through the presentation of questions and answers that may be formulated at the time of hearing. However, the Commission's practice of requiring prefiled testimony, coupled with its practice of limiting a witness' testimony at hearing to that prefiled testimony, makes it critical that sufficient time be provided for a party to prepare its prefiled testimony. If sufficient time is not provided, and the Commission follows its prior practice of restricting parties to their prefiled testimony at the time of hearing, the Commission will have denied the parties their statutory right to present testimony at the final hearing.

WHEREFORE the Florida Reliability Coordinating Council, Inc., requests entry of an order extending the time for the filing of rebuttal testimony to October 4, 1999.

Dated: September 9, 1999

Respectfully Submitted

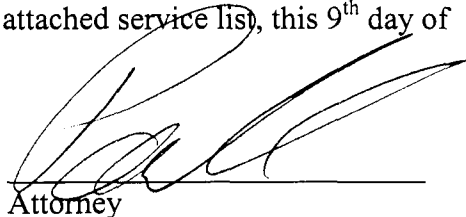


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**CERTIFICATE OF SERVICE**

I HEREBY BY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the persons shown on the attached service list, this 9<sup>th</sup> day of September, 1999.



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