STEEL HECTOR **B**DAVIS\*\* RECEIVED-FPSC

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RECORDS AND REPORTING

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Charles A. Gøyton 850.222.3423

**By Hand Delivery** 

March 2, 2000

Blanca S. Bayó, Director Records and Reporting Florida Public Service Commission 4075 Esplanade Way, Room 110 Tallahassee, Fl 32399-0850

Re:

Docket No. 991462-EU

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") in Docket No. 991462-EU are the original and fifteen (15) copies of Florida Power & Light Company's Unopposed Motion For Revised Procedural Schedule.

If you or your staff have any questions regarding this filing, please contact me.

Very truly yours.

Charles A. Guyton

APP CAF CMU

AFA

Enclosure

cc: Parties of Record

DOCUMENT NUMBER-DATE

02830 MAR-28

## ORIGINAL

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination	)	
of Need for an Electrical Power	)	DOCKET NO. 991462-EU
Plant in Okeechobee County by	)	
Okeechobee Generating Company,	)	Filed: March 2, 2000
L.L.C.	)	

## FLORIDA POWER & LIGHT COMPANY'S UNOPPOSED MOTION FOR REVISED PROCEDURAL SCHEDULE

Florida Power Light Company ("FPL"), pursuant to Rule 28-106.204, Florida

Administrative Code, hereby requests that the Prehearing Officer revise the procedural schedule
in this proceeding regarding the date that Intervenor testimony regarding Dr. Nesbitt's testimony
is due, and the date OGC's rebuttal testimony rebutting such Intervenor testimony is due. FPL
requests that the current Intervenor testimony filing date of March 7, 2000 be extended to March
9, 2000 and that OGC rebuttal testimony date of March 15, 2000 be extended to March 16, 2000.
In support of this motion FPL states:

In Order No. PSC-00-0339-PCO-EU issued on February 18, 2000, the Prehearing
 Officer established the following deadlines in this docket:

Training Sessions on Altos models February 21,22, 2000

Models Available at Commission February 21, 2000

Models Available at Altos Offices February 23, 2000

Intervenor Testimony March 7, 2000

Rebuttal Testimony March 15, 2000

- 2. Although computers were loaded with the models on the dates set forth in the order (albeit the California location was changed by OGC from the Altos Office to the PG&E Generating Office in San Francisco), the parties could not agree to the wording of the guaranty agreements required by Order No. PSC- 00-0291-PCO-EU issued February 11, 2000. The parties reached agreement on the guaranty agreement language on February 28, 2000, 7 days after the installation of the models on the PSC computer and 5 days after the installation of the models on the California computer.
- 2. Due to the delay occasioned by (1) OGC 's consultants not being available to make their software ready for inspection when ordered (see Order No. PSC-00-0339-PCO-EU) and (2) not being able to reach agreement on guaranty language until February 28, 2000, FPL's consultants gained their initial access to the Altos and MarketPointTM software on February 28, 2000 instead of February 13, 2000 as contemplated in Order No. PSC-00-0291-PCO-EU and instead of February 23, 2000 as contemplated in Order No. PSC-00-0339-PCO-EU.
- 3. OGC and FPL, recognizing that the further delay occasioned by negotiations of the guaranty language was delaying FPL's consultants access to the models, mutually agreed to a further delay in both the deadline for Intervenor testimony addressing Dr. Nesbitt from March 7 to March 9 and an extension of OGC's rebuttal testimony to such Intervenor testimony from March 15 to March 16, 2000. This motion asks the Prehearing Officer to further extend those testimony filing deadlines consistent with FPL's and OGC's agreement.
- 4. Counsel for FPL has consulted with counsel for OGC, FPC and TECO regarding this motion, none of whom oppose it. FPL has not reached counsel for LEAF.

WHEREFORE, FPL respectfully moves the Prehearing Officer to further extend the testimony filing deadline for Intervenor testimony addressing Dr. Nesbitt's testimony from March 7, 2000 to March 9, 2000 and OGC's deadline for filing rebuttal to the Intervenor testimony regarding Dr. Nesbitt's testimony from March 15, 2000 to March 16, 2000.

Respectfully submitted this 2nd day of March 2000.

STEEL HECTOR & DAVIS LLP

By: Matthew M. Childs, P.A.

Charles A. Guyton

215 S. Monroe Street, Suite 601 Tallahassee, Florida 32301-1804

Telephone No. (850) 222-2300

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of this FPL's Unopposed Motion For Revised Procedural Schedule was served by Hand Delivery (\*) or mailed this 2nd day of March, 2000 to the following:

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