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Matthew M. Childs, P.A.

June 30, 1999

Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
4750 Esplanade Way, Room 110
Tallahassee, FL 32399

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09 JUN 30 PM 3:38
RECORDS AND REPORTING

RE: DOCKET NO. 981890-EU

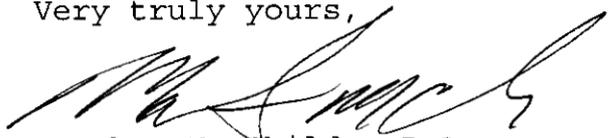
Dear Ms. Bayó:

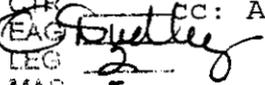
Enclosed for filing please find the original and seven (7) copies of Florida Power & Light Company's Response to PG&E Generating Company's Petition to Intervene in the above-referenced docket.

Also enclosed is a formatted high density 3.5 inch diskette containing FPL's Response to PG&E Generating Company's Petition to Intervene.

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FPSC-BUREAU OF RECORDS

Very truly yours,

Matthew M. Childs, P.A.

- AFA 2
- APP _____
- CAF _____ MMC:ml
- CMU _____ Enclosure
- CTR _____ cc: All Parties of Record
- EAG 
- LEG 2
- MAS 5
- OPC _____
- RRR _____
- SEC 1
- WAW _____
- OTH _____

DOCUMENT NUMBER-DATE

07912 JUN 30 99

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Generic Investigation) DOCKET NO. 981890-EI
Into the Aggregate Electric) DATE: JUNE 30, 1999
Utility Reserve Margins Planned)
for Peninsular Florida)

RESPONSE TO PG&E GENERATING COMPANY'S
PETITION FOR LEAVE TO INTERVENE

Florida Power & Light Company ("FPL") hereby files this its response to the June 16, 1999 Petition for Leave to Intervene in this docket filed by PG&E Generating Company. In support of its response to the effect that intervention is inappropriate FPL states:

1. This docket is not appropriate for intervention because it is a generic investigation proceeding.

2. If this proceeding were not a generic investigation proceeding such that intervention might otherwise be appropriate then, FPL without waving its objection to that effect, notes that the Petition for Leave to Intervene filed by PG&E Generating does not conform to Rule 28-106.205 or to Rule 25-22.039 (as to Rule 25-22.039 titled Intervention, FPL would point out that although this Rule has been identified in Chapter 25-40.001 as an exception to

the Uniform Rules of Procedure, the exception authorized was only as to the timing by which a petition for intervention must be filed.)

3. Nowhere in its petition does PG&E Generating present allegations-

"Sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of Constitutional or statutory right or pursuant to agency rule or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding."

Instead, PG&E identifies no substantial interests that are subject to determination by the Commission in this docket and no substantial interests that will be affected through the proceeding. Moreover, PG&E Generating identifies no action by the Commission that could potentially affect its substantial interests or determine its substantial interests. Instead, PG&E Generating alleges most generally:

As a generator of electrical power and, more specifically, a provider of electric power to the Florida electric power grid, as well as a company which has an interest in developing future power plant projects in Florida, Petitioner's substantial interests will be affected.

WHEREFORE, FPL hereby files this its response to the Petition to Intervene by PG&E Generating and submits that intervention is inappropriate.

Respectfully submitted,

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Attorneys for Florida Power
& Light Company

By: 
Matthew M. Childs, P.A.

CERTIFICATE OF SERVICE
DOCKET NO. 981890-EU

I **HEREBY CERTIFY** that a true and correct copy of Florida Power & Light Company's Response to PG&E Generating Company's Petition for Leave to Intervene has been furnished by Hand Delivery*, or U.S. Mail this 30th day of June, 1999 to the following:

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