

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition for approval of new territorial agreement between Florida Power & Light Company and Jacksonville Electric Authority.

DOCKET NO. 980755-EU
ORDER NO. PSC-98-1220-PCO-EU
ISSUED: September 16, 1998

ORDER GRANTING MOTIONS FOR LEAVE TO AMEND

Pursuant to Rules 25-22.037, and 25-6.0440, Florida Administrative Code, on June 15, 1998, Florida Power & Light Company (FPL) and Jacksonville Electric Authority (JEA) filed a Joint Motion to Approve Territorial Agreement. The petitioners filed a Motion to Amend the Joint Motion for Approval of Territorial Agreement on August 13, 1998. On August 21, 1998, FPL filed a motion to amend its Exhibit E to Attachment A to the Joint Motion for Approval of Territorial Agreement. JEA did not object to FPL's motion. On September 8, 1998, FPL filed a Motion to Revise Attachment C to the Motion to Amend Joint Motion to Approve Territorial Agreement. FPL asserted this Motion was with the consent of JEA. There are no other parties to the proceeding.

Having reviewed the Motions, and being otherwise fully advised in the premises, it is found that: 1) the Motion to Amend the Joint Motion for Approval of Territorial Agreement; 2) the Motion to Amend Exhibit E to Attachment A to the Joint Motion for Approval of Territorial Agreement; and, 3) the Motion to Revise Attachment C to the Motion to Amend Joint Motion to Approve Territorial Agreement should be granted.

Based on the foregoing, it is therefore

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the parties' Motion to Amend Joint Motion for Approval of Territorial Agreement is hereby granted. It is further

ORDERED that Florida Power & Light Company's Motion to Amend Exhibit E to Attachment A to Joint Motion for Approval of Territorial Agreement is granted. It is further

ORDERED that Florida Power & Light Company's Motion to Revise Attachment C to the Motion to Amend Joint Motion to Approve Territorial Agreement is granted.

DOCUMENT NUMBER-DATE
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FPC-RECORDS/REPORTING

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By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 16th day of September, 1998.



SUSAN F. CLARK
Commissioner and Prehearing Officer

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial

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review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.