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CARLTON FIELDS

ATTORNEYS AT LAW

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March 29, 1999

Sid J. White, Clerk The Supreme Court of Florida Supreme Court Building 500 South Duval Street Tallahassee, Florida 32399-1927

> Re: Florida Power Corporation, Appellant vs. Florida Public Service Commission, Metropolitan Dade County, and Montenay-Dade, Ltd. Case Nos. 94,664

Dear Mr. White:

Enclosed for filing and docketing is Appellant's Request for Oral Argument in this case. Thank you for your consideration in this matter.

Very trul urs. Joseph H.

JHL:mh	Ň
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AFAee (w/enclosure): All Counsel of Record	
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IN THE SUPREME COURT OF THE STATE OF FLORIDA

In re: Petition by Florida Power Corporation for Declaratory Statement that Commission's Approval of Negotiated Contract for Purchase of Firm Capacity and Energy Between FPC and Metropolitan Dade County in Order No. 24734, Together with Orders Nos. PSC-97-1437-FOF-EQ and 24989, PURPA, Florida Statute 366.051 and Rule 25-17.082, F.A.C., Establish that Energy Payments Thereunder, Including When Firm or As-Available Payment is due, are Limited to Analysis of Avoided Costs Based Upon Avoided Unit's Contractually-Specified Characteristics.

FLORIDA POWER CORPORATION,

Appellant,

vs.

Case No. 94,664

Florida Public Service Commission, Agency / Appellee;

Metropolitan Dade County; and Montenay-Dade, Ltd.

Intervenors / Appellees.

REQUEST FOR ORAL ARGUMENT

Pursuant to Rule 9.320, F.R.App.P., Appellant, FLORIDA

POWER CORPORATION, requests oral argument in this case.

Rodney Gaddy Esq. FBN 314943 James A. McGee Esq. FBN 150483 Florida Power Corporation Sylvia H. Walholt PBN 033604 Chris S. Controllis FBN 300705 Robert L. Ciotti FBN 333141 Joseph H. Lang, Jr. FBN 0059404 Carlton, Fields, Ward, Emmanuel Smith & Cutler, P.A. Post Office Box 3239 Tampa, Florida 33601-3239 Attorneys for Appellant

DOCUMENT NUMBER-DATE

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STP#506265.01

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Oral Argument has been furnished by U.S. Mail to Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850;James D. Wing, Esquire, 701 Brickell Ave., 30th Floor, P.O. Box 015441 , Miami, FL 33101 Gail P. Fels, Esquire, Assistant County Attorney, Dade County Aviation Department, Post Office Box 592075 AMF, Miami, Florida 33159 (counsel for Dade County); Robert Scheffel Wright, Esquire, Landers & Parsons, 310 West College Avenue, Post Office Box 271, Tallahassee, Florida 32302 (counsel for Montenay); and David E. Smith, Esquire, Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Third Floor, Gunter Building, Tallahassee, Florida 32399-0850 this $\frac{697}{10}$ day of March, 1999.