

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition for Determination)
of Need for an Electrical Power Plant in)
St. Lucie County by Panda Midway)
Power Partners, L.P.)

Docket No. 000289-EU

RECORDS AND
REPORTING

Filed: April 7, 2000

**FLORIDA POWER CORPORATION'S JOINDER
IN MOTION OF FLORIDA POWER AND LIGHT COMPANY'S
MOTION FOR A SCHEDULING CONFERENCE**

Pursuant to Rule 28-106.204 of the Florida Administrative Code, Florida Power Corporation ("FPC"), joins in the Motion of Florida Power & Light Company ("FPL") for a scheduling conference.

For the reasons set forth in FPL's motion, it is apparent that the existing CASR schedule does not afford adequate time to prepare an evidentiary response to Petitioners' still unfiled evidence in support of their petitions, or adequate time for discovery and trial preparation. Most egregiously, affording only two weeks in which to file Intervenors' testimony in response to Petitioners' direct case is completely unfeasible. Moreover, as noted in FPL's motion, Petitioners failure to file their "detailed analysis and supporting documentation of the costs and benefits" of the proposed power plants as required by Rule 28-22.081(3), Florida Administrative (clear grounds for outright dismissal of the petitions) further compounds the problems inherent in the existing schedule, as most recently evidenced by the Commission's experience in Docket No. 991462-EU (Okeechobee Generating Company).

FPC believes that a prompt scheduling conference at which Petitioners, Staff, and Intervenors can discuss Petitioners' anticipated evidence, witnesses, models and data -- as well as access to the data and models -- is of critical importance in fashioning a fair and workable prehearing schedule. There is no reason why that conference cannot or should not be promptly

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convened. Petitioners' direct case evidence is due on April 24 under the existing CASR. Petitioners should therefore already be in a position to provide meaningful information concerning their witnesses and modeling.

In light of the magnitude of these two proceedings -- which request approval to build 2,000 MW of new, wholly merchant generating capacity -- and the fact that the petitions were not accompanied by the required detailed analyses and documentation, FPC agrees that proceeding without a scheduling conference is inadvisable. However, should the Prehearing Officer nevertheless elect not to hold such a conference, FPC advises the Prehearing Officer that FPC has no objection or opposition to the alternative schedule proposed in FPL's motion.

WHEREFORE, FPC therefore urges the Prehearing Officer to convene a scheduling conference at his earliest opportunity for the above purposes.

Respectfully submitted,

JAMES A. McGEE
Senior Counsel
FLORIDA POWER CORPORATION
P.O. Box 14042
St. Petersburg, Florida 33733
Telephone: (727) 820-5184
Facsimile: (727) 820-5519

FLORIDA POWER
CORPORATION


GARY L. SASSO
Florida Bar No. 622575
Jill H. Bowman
Florida Bar No. 057304
CARLTON, FIELDS, WARD,
EMMANUEL, SMITH & CUTLER
Post Office Box 2861
St. Petersburg, FL 33731
Telephone: (727) 821-7000
Telecopier: (727) 822-3768

- and -

Robert Pass
Florida Bar No. 183169
CARLTON, FIELDS, WARD,
EMMANUEL, SMITH & CUTLER, P.A.
P.O. Drawer 190
Tallahassee, FL 32302-0190
Telephone: (850) 224-1585
Facsimile: (850) 222-0398

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the following parties of record this 7th day of April, 2000.



Attorney

PARTIES OF RECORD:

Suzanne Brownless, Esq.
1311-B Paul Russell Road, Ste. 201
Tallahassee, FL 32301
Phone: (850) 877-5200
Fax: (850) 878-0090
Attorneys for Panda Midway Power Partners,
L.P.

Steven W. Crain, P.E.
Panda Midway Power Partners, L.P.
4100 Spring Valley, Ste. 1001
Dallas, Texas 75244

Matthew M. Childs
Charles A. Guyton
Florida Power & Light Company
810 First Florida Bank
215 S. Monroe Street
Tallahassee, FL 32301-1888

Jon Moyle, Jr.
Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301

Regional Planning Council #10
Michael Busha
301 E. Ocena Blvd., Ste. 300
Stuart, FL 34994
Phone: (561) 221-4060
Fax: (561) 221-4067

Paul Darst
Department of Community Affairs
Division of Local Resource Planning
2740 Centerview Drive
Tallahassee, FL 32399-2100
Phone: (850) 488-8466
Fax: (850) 921-0781

Department of Environmental Regulation
Gary Smallridge
2600 Blairstone Road
Tallahassee, FL 32399-2400
Phone: (850) 487-0472