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May 1, 1992

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Mr. Steven C. Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
The Fletcher Building
101 East Gaines Street
Tallahassee, FL 32399

Re: Petition of Suwannee Valley Electric Cooperative, Inc.
to resolve a territorial dispute with Florida
Power and Light Company (Live Oak Innkeepers, Inc. --
Best Western Motel (Docket No. 910991-EU)

- ACK
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG**
- LEG 1
- LIN 6
- OPC _____
- RCH 8
- SEC 1
- WAS _____
- OTH _____

Dear Mr. Tribble:

Enclosed for filing in the docket referred to above are the original and fifteen (15) copies of Joint Motion for Resolution of Territorial Dispute and original and fifteen (15) copies of Stipulation of Facts Between JFlorida Power & Light Company and Suwannee Valley Electric Cooperative.

Please acknowledge receipt and filing of the above by stamping the copy of this letter attached and returning same to me.

Yours truly,

Wilton R. Miller
Wilton R. Miller

WRM:lms

Enclosures

Cc: C. Dean Lewis, Esquire
K. Crandal McDougall, Esquire
RECEIVED & FILED

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
04284 MAY -1 1992
PSC-RECORDS/REPORTING

motion
DOCUMENT NUMBER-DATE

04284 MAY -1 1992

PSC-RECORDS/REPORTING

BEFORE THE PUBLIC SERVICE COMMISSION

IN RE: Petition of Suwannee Valley
Electric Cooperative, Inc. to resolve
a territorial dispute with Florida
Power and Light Company (Live Oak
Innkeepers, Inc. -- Best Western Motel)

Docket No: 910991-EU

JOINT MOTION FOR RESOLUTION
OF TERRITORIAL DISPUTE

Petitioner, Suwannee Valley Electric Cooperative, Inc.
(hereinafter SVEC) and Respondent, Florida Power & Light Company
(hereinafter FPL), jointly move the Commission for resolution of
the instant territorial dispute upon the stipulated facts filed
herewith by SVEC and FPL. In support thereof SVEC and FPL state
the following:

1. Pursuant to Section 366.04(2)(e), Florida Statutes, the
Commission has jurisdiction to resolve any territorial dispute
between public utilities and rural electric cooperatives.

2. There are no issues of fact regarding the circumstances
and conditions that caused the dispute. See SVEC's and FPL's
Stipulation of Facts filed concurrently herewith.

3. Pursuant to Subsection 366.03, Florida Statutes, FPL
has an obligation to "furnish to each person applying therefore
... service...". Therefore, absent an order of the Commission
relieving FPL of its obligation to serve, FPL may not refuse
service to Live Oak Innkeepers, Inc.

4. Through the resolution of a territorial dispute
pursuant to Subsection 366.04(2)(e), the Commission may relieve a
public utility of its obligation to service under Subsection
366.03, Florida Statutes.

DOCUMENT NUMBER-DATE

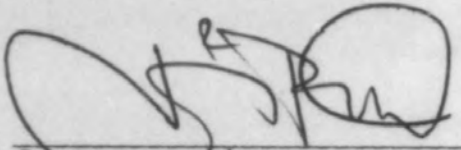
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FPSC-RECORDS/REPORTING

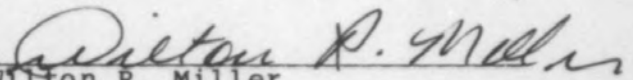
5. In the interest of judicial economy, FPL and SVEC request resolution of this matter on the basis of the stipulated facts presented. As there are no material facts in dispute, a hearing in this matter and the prefiling of testimony by the parties would not aid the Commission in the resolution of this dispute.

WHEREFORE, SVEC and FPL request that the Commission resolve the instant territorial dispute upon the stipulated facts presented herewith.

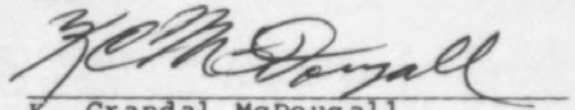
Respectfully submitted,


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Attorneys for
FLORIDA POWER & LIGHT COMPANY

DATE 5/4/92
TO Legal

The attached is sent to you for:

- Your Information
- Further Handling
- Necessary Action
- Advice on Handling
- Response

Remarks: 04284-92
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