

Matilda Sanders

From: Rhonda Dulgar [rdulgar@yvlaw.net]
Sent: Thursday, January 10, 2008 2:21 PM
To: Bryan Anderson; John T. Butler; R. Wade Litchfield; John C.' Randolph; kelly.jr@leg.state.fl.us; Filings@psc.state.fl.us; Mary Anne Helton; Richard Bellak; Ralph Jaeger; Schef Wright
Subject: PSC Filing - Undocketed
Attachments: Towns.RequestforOralArgument.1-10-08.pdf

080035

a. Person responsible for this electronic filing:

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b. Undocketed

In Re: Petition for Declaratory Statement Before the Florida Public Service Commission by the Town of Palm Beach, the Town of Jupiter Island, and the Town of Jupiter Inlet Colony, Florida Concerning Their Rights Under Rule 25-6.115, F.A.C.

c. Document being filed on behalf of the Town of Palm Beach, the Town of Jupiter Island, and the Town of Jupiter Inlet Colony, Florida.

d. There are a total of 3 pages.

e. The document attached for electronic filing is Request for Oral Argument and Alternative Motion for Leave to Address the Commission.

(see attached file: Towns.RequestforOralArgument.1-10-08.pdf)

Please note that the attached Request for Oral Argument is being filed simultaneously with, and in the same docket as, the Towns' Petition for Declaratory Statement filed earlier this afternoon. Thank you for your attention and assistance in this matter.

Rhonda Dulgar
 Secretary to Schef Wright
 Phone: 850-222-7206
 FAX: 850-561-6834

DOCUMENT NUMBER-DATE
 00270 JAN 10 8
 FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Declaratory)
Statement Before the Florida Public)
Service Commission by the Town of) DOCKET NO. 080035 -EI
Palm Beach, the Town of Jupiter)
Island, and the Town of Jupiter Inlet) FILED: JANUARY 10, 2008
Colony, Florida Concerning Their)
Rights Under Rule 25-6.115, F.A.C.)
_____)

REQUEST FOR ORAL ARGUMENT AND ALTERNATIVE MOTION
FOR LEAVE TO ADDRESS THE COMMISSION

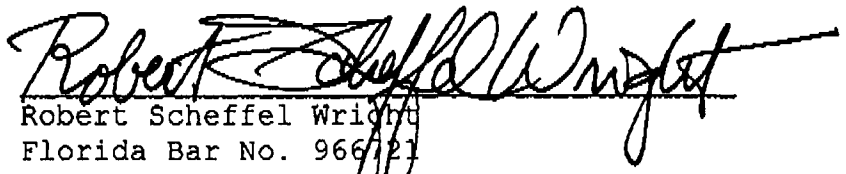
The Town of Palm Beach, Florida, the Town of Jupiter Island, Florida, and the Town of Jupiter Inlet Colony, Florida, collectively referred to herein as the "Towns," by and through their undersigned counsel, and pursuant to Rules 25-22.058 and 28-106.204, Florida Administrative Code ("F.A.C."), hereby request oral argument on the issues raised in the Petition for Declaratory Statement filed contemporaneously with this Request. In the alternative,¹ the Towns respectfully move the Commission for leave to address the Commission at agenda conference on their Petition and the issues raised therein.

Oral argument will aid the Commission in comprehending and evaluating the somewhat complex array of issues before it, which include chiefly interpretation and implementation of the Commission's rules relating to undergrounding electric

¹ Commission Rule 25-22.058, F.A.C., Oral Argument, refers only to oral argument upon request of a party to a Section 120.57 formal hearing. Since this is a declaratory statement proceeding pursuant to Section 120.565, Florida Statutes, the Towns are requesting the same relief - the opportunity to address the Commission - by their alternative motion.

distribution facilities. These rules themselves became effective less than one year ago and are thus obviously in the process of initial implementation. The Towns' Petition also raises issues relating to the fairness and reasonableness of FPL's proposed treatment of certain costs pursuant to the Commission's rules, and oral argument will be useful for the Commission to comprehend and evaluate those issues as well.

Respectfully submitted this 10th day of January, 2008.



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Attorneys for the Town of Palm Beach,
The Town of Jupiter Island, and
The Town of Jupiter Inlet Colony

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic and U.S. Mail, on this 10th day of January, 2008.

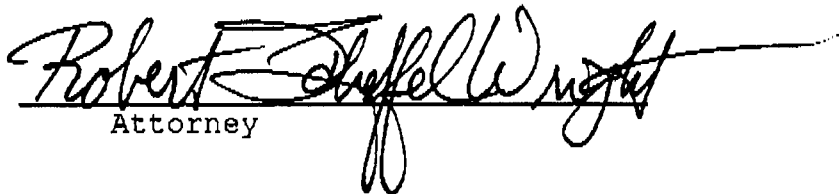
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