

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Conservation Cost Recovery ) DOCKET NO. 890002-EG  
 Clause. ) ORDER NO. 21923  
 \_\_\_\_\_ ) ISSUED: 9-20-89

ORDER DENYING REQUEST FOR ORAL ARGUMENT

On June 19, 1989, Florida Power & Light Company ("FPL") filed a Motion for Reconsideration of Order No. 21317, issued in this docket on June 2, 1989. Two weeks later, on July 3, 1989, FPL filed a request for oral argument.

Rule 25-22.058, Florida Administrative Code, states that "A request for oral argument shall be contained on a separate document and must accompany the pleading upon which argument is requested." The rule further specifies that failure to timely file an oral argument request constitutes a waiver of oral argument.

Rule 25-22.060, F.A.C., states, in subpart (f), that "Oral argument on any pleading filed under this rule shall be granted solely at the discretion of the Commission." This provision does not negate the requirement in Rule 25-22.058 that requests for oral argument be made in a timely fashion.

It is, therefore,

ORDERED that Florida Power & Light Company's request for oral argument is hereby denied.

By ORDER of Commissioner John T. Herndon, as Prehearing Officer, this 20th day of SEPTEMBER, 1989.

John T. Herndon  
 JOHN T. HERNDON, Commissioner  
 and Prehearing Officer

(S E A L )

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