

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida)	DOCKET NO. 890319-EI
Power and Light Company for)	
approval of "Tax Savings")	
refund for 1988.)	
Minimum Filing Requirement)	DOCKET NO. 890922-EI
report of Florida Power)	ORDER NO. 22391
and Light Company in compliance))	ISSUED: 1-9-90
with Section 366.06(3),)	
Florida Statutes.)	
)	

Pursuant to Notice, a Prehearing Conference was held on January 4, 1990, in Tallahassee, Florida, before Commissioner Betty Easley, Prehearing Officer.

APPEARANCES:

MATTHEW CHILDS, Esquire Steel, Hector & Davis 310 West College Avenue Tallahassee, Florida 31301-1406
On behalf of Florida Power & Light Company.

JOSEPH A. MCGLOTHLIN, Esquire, Lawson, McWhirter, Grandoff & Reeves, 522 E. Park Avenue, Suite 200, Tallahassee, Florida 32301
On behalf of the Florida Industrial Power Users' Group.

STEPHEN BURGESS, Esquire, Office of the Public Counsel, c/o The Florida Legislature, 111 W. Madison, St., Suite 801, Tallahassee, Florida 32399-1400
On behalf of the Citizens of the State of Florida.

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MARSHA E. RULE, Esquire and
SUZANNE BROWNLESS, Esquire
Florida Public Service Commission
Division of Legal Services
101 East Gaines Street
Tallahassee, Florida 32399-0863
On behalf of the Commission Staff.

PRENTICE PRUITT, Esquire, Florida Public Service
Commission, Office of the General Counsel,
Tallahassee, Florida 32399-0861
Appearing as Counsel to the Commissioners.

PREHEARING ORDER

On December 19, 1989, the Commission voted to hold a hearing to determine the appropriate return on equity to be used for the purpose of setting revenue subject to refund pending a decision in Florida Power and Light Company's (FPL's) earnings review docket. The hearing was set for January 9, 1990.

Use of Prefiled Testimony

All testimony which has been prefiled in this case will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and exhibits, unless there is a sustainable objection. All testimony remains subject to appropriate objections. Each witness will have the opportunity to orally summarize his testimony at the time he or she takes the stand.

Use of Depositions and Interrogatories

If any party desires to use any portion of a deposition or an interrogatory, at the time the party seeks to introduce that deposition or a portion thereof, the request will be subject to proper objections and the appropriate evidentiary rules will

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govern. The parties will be free to utilize any exhibits requested at the time of the depositions subject to the same conditions.

Order of Witnesses

The witness schedule is set forth below in order of appearance.

Direct

1. Joseph F. Brennan
(FPL)
2. Edgar L. Hoffman, Jr.
(FPL)
3. Steven F. Clinger
(OPC)
4. Mark A. Cicchetti
(Staff)

Rebuttal

5. Steven F. Clinger
(OPC)
6. Mark A. Cicchetti
(Staff)
7. Joseph F. Brennan
(FPL)
8. Edgar L. Hoffman
(FPL)

STATEMENT OF ISSUE

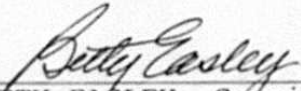
1. What is the appropriate return on equity and overall rate of return for Florida Power and Light Company, to be used for all regulatory purposes and for such other purposes as the Commission may deem appropriate?

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that these proceedings shall be governed by this order unless modified by the Commission.

By ORDER of Commissioner Betty Easley, as Prehearing Officer, this 9th day of JANUARY, 1990.



BETTY EASLEY, Commissioner
and Prehearing Officer

(S E A L)

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