

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by the Citizens of the)	DOCKET NO. 891283-EI
State of Florida for a limited )	ORDER NO. 22654
proceeding to reduce Florida Power & )	ISSUED: 3-8-90
Light Company's authorized return on )	
equity. )	
_____ )	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER CLOSING DOCKET

BY THE COMMISSION:

On November 13, 1989, the Office of Public Counsel filed a Petition on behalf of the Citizens of the State of Florida, seeking a limited proceeding to reduce Florida Power & Light Company's (FPL's) authorized rate of return. In its petition, the Office of Public Counsel requested the Commission to determine that the appropriate return on equity for FPL is 11.4%, and to reduce the utility's authorized return on equity accordingly. On January 10, 1990, after a hearing in Dockets Nos. 890319-EI and 890922-EI, the Commission found the appropriate return on equity for FPL to be 12.8%, to be used "for all regulatory purposes". Thereafter, on February 5, 1990, the Commission issued Order No. 22490, which set the midpoint of the utility's return on equity at 12.8%.

Because FPL's rate of return has been reduced in another docket, we find that this docket is moot and should be closed.

It is therefore

ORDERED by the Florida Public Service Commission that this docket be closed after the time has run in which to file a

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petition for reconsideration or notice of appeal, if such action is not taken.

By ORDER of the Florida Public Service Commission,  
this 8th day of March, 1990.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.