

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power) DOCKET NO. 911142-EQ
Corporation for Authority to) ORDER NO. PSC-92-0268-PCO-EQ
refuse standard offer contracts) ISSUED: 4/29/92
_____)

ORDER DENYING REQUEST FOR ORAL ARGUMENT

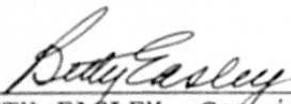
On November 19, 1991 Florida Power Corporation petitioned the Commission for authority to reject the standard offer purchase power agreement submitted by NOAH IV Power, GP, Inc. (NOAH IV). On December 13, 1991 NOAH IV and Ark Energy, Incorporated (Ark) filed their answer and cross petition. On February 11, 1992 NOAH IV and Ark filed a Motion for Summary Judgement concerning the issues presented in this docket. At the same time, the companies also filed a Request for Oral Argument on their Motion. On February 26, 1992, Florida Power Corporation filed a response to the Motion for Summary Judgement.

Having reviewed the Motion, the Request and the Response to the Motion, I find that the Request for Oral Argument should be denied.

Accordingly, it is

ORDERED by Commissioner Betty Easley, Prehearing Officer that the Request for Oral Argument filed by NOAH IV POWER, GP, Inc. and Ark Energy, Inc. is hereby **DENIED**.

By ORDER of Commissioner Betty Easley, Prehearing Officer, this 29th day of APRIL, 1992.



BETTY EASLEY, Commissioner
and Prehearing Officer

RVE/lfb

DOCUMENT NUMBER-DATE

04193 APR 29 1992

FPSC-RECORDS/REPORTING

ORDER NO. PSC-92-0268-PCO-EQ
DOCKET NO. 911142-EQ
PAGE 2

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 this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.