

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Adoption of Numeric) DOCKET NO. 930548-EG
Conservation Goals and) ORDER NO. PSC-94-0536-PCO-EG
Consideration of National Energy) ISSUED: May 9, 1994
Policy Act Standards (Section)
111) by Florida Power and Light)
Company.)
_____)

ORDER DENYING MOTION TO LIMIT SERVICE

On April 7, 1994, the Legal Environmental Assistance Foundation, Inc. (LEAF), filed a motion requesting that it be relieved from the requirement to serve five specified parties with its filings in this docket. As grounds for its motion LEAF states that these parties do not appear to be actively participating in this docket and that the costs of duplicating and mailing documents to the many intervenors in this docket are an onerous burden on LEAF. LEAF's motion does not state whether LEAF contacted the parties in question to determine whether these parties objected to the relief requested.

On April 15, 1994, the Florida Municipal Electric Association (FMEA) filed a response to LEAF's motion, stating that FMEA is actively participating in this docket and requesting that the Commission deny LEAF's request to limit service to FMEA.

On April 18, 1994, the Florida Electric Cooperative Association, (FECA) filed a response to LEAF's motion, stating that FECA has a substantial interest in this proceeding, and that FECA has a right to a copy of all documents filed in this docket, including those filed by LEAF.

On April 19, 1994, Jacksonville Electric Authority (JEA) filed a response to LEAF's motion, stating that JEA is actively participating in this docket and intends to participate in every remaining proceeding in this docket. JEA requests that the Commission deny LEAF's motion to limit service to JEA.

Three of the five parties that LEAF has requested that it be relieved from serving claim to be active participants in this docket and object to the relief requested by LEAF. Under these circumstances, it would be inappropriate to grant LEAF's motion. Should LEAF contact the remaining two parties and determine that those parties do not object to LEAF being relieved from serving them, I would not hesitate to grant LEAF's motion as to those parties. This is the type of issue that should be the subject of communication between the parties before motions are filed with the Commission.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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It is therefore,

ORDERED that the Motion To Limit Service filed by the Legal Environmental Assistance Foundation, Inc. on April 7, 1994, is hereby denied.

By ORDER of Chairman J. Terry Deason, as Prehearing Officer, this 9th day of May, 1994.



J. TERRY DEASON, Chairman and
Prehearing Officer

(S E A L)
MAP:bmi

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.