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April 29, 1992

HAND DELIVER

Mr. Steve Tribble
Director, Division of Records
and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399

ORIGINAL
FILE COPY

Re: Docket No. 520198-EQ
Request to Address Commission

Dear Mr. Tribble:

Enclosed for filing please find an original and 15 copies of
ACK Monsanto Company's Request to Address Commission.

Sincerely,

Suzanne Brownless
Suzanne Brownless

- AEA _____
- APP 1
- CAF _____
- CMU _____
- CTR _____
- EAG 3
- LEG 1
- LIN 6
- OPC 1
- RCH _____
- SEC 1
- WAS _____
- OTH _____

Enclosures

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1B
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
04238 APR 29 1992
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition of Monsanto)
Company for a declaratory)
statement concerning the)
provision of electric power to)
facilities at its Pensacola)
Chemical Complex.)
_____)

Docket No. 920198-EQ
Filed: April 29, 1992

REQUEST TO ADDRESS COMMISSION

Comes now Monsanto Company (Monsanto) and requests that it be allowed to address the Commission at its scheduled May 5, 1992 agenda conference and in support thereof states:

1. On March 2, 1992, Monsanto filed a petition for declaratory statement in the above-styled docket. A clarification of the petition for declaratory statement was filed by Monsanto on March 20, 1992.

2. On April 2, 1992, Gulf Power Company (Gulf) filed a petition for leave to intervene in this declaratory statement proceeding in which it addressed not only the prospective action on which the declaratory statement was based, but also alleged violations of its tariffs, rules and regulations based on the current actions of Monsanto. Gulf also requested that it be allowed a Section 120.57, F.S., hearing on the merits of the declaratory statement.

3. Monsanto filed responses in opposition to both Gulf's request for hearing and its request for intervention in the docket on April 14, 1992.

4. On April 22, 1992, the Staff filed its recommendation for the Commission's May 5, 1992 agenda in which the issues addressed are the procedural issues raised by Gulf: intervention and request for a Section 120.57, F.S., hearing. On the May 5, 1992 agenda, this docket is listed as Item No. 4 and does not indicate that parties may address the Commission.

5. Although Rule 25-22.021(3), F.A.C., states that oral argument is "inappropriate to the proceedings under this Part [Part III, Declaratory Statements]" Monsanto believes that this prohibition is directed toward oral argument on the merits of a declaratory statement, not the procedural issues of intervention and hearing addressed in the Staff recommendation under consideration on May 5. For that reason, Monsanto requests that all interested persons and parties be allowed to speak at the May 5 agenda with regard only to the procedural issues outlined in the Staff's recommendation.

DOCUMENT NUMBER-DATE

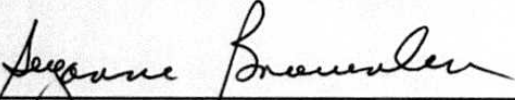
04238 APR 29 1992
FPSC-RECORDS/REPORTING

6. Monsanto would note that Rule 25-22.021(3), F.A.C., goes on to state that even though generally considered "inappropriate", the Commission has the discretion to grant such requests. Monsanto believes that its request to address the Commission is in keeping with past Commission practice in similar circumstances and with the general principles of fairness and equity.

WHEREFORE, Monsanto Company respectfully requests that it and all interested persons be allowed to address the Commission at its May 5, 1992 agenda with regard to this docket as discussed above.

Respectfully submitted this 29 day of April, 1992 by:

RICHARD A. ZAMBO, Esquire
Richard A. Zambo, P.A.
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c:0540

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Request to Address Commission has been provided to the following persons by U.S. Mail or Hand-delivery (*), this 29 day of April, 1992.

*Richard Bellack
Associate General Counsel
Division of Legal Services
Florida Public Service
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Suzanne Brownless, Esquire

DATE 7/15/92

TO Legat APP

The attached is sent to you for:

- Your Information
- Further Handling
- Necessary Action
- Advice on Handling
- Response

Remarks: 07704-92

Division of Records & Reporting TB

PSC/R&R (6/92)