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January 29, 1997

Ms. Blanca S. Bayó, Director  
Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

ORIGINAL  
FILE COPY

RE: Docket No. 970022-EU  
In re: Petition of Florida Power & Light Company for Enforcement of Order No. 4285 in Docket No. 9056-EU

Dear Ms. Bayó:

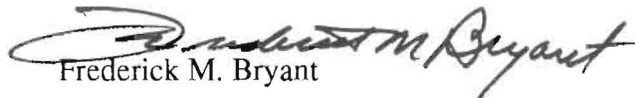
Please find enclosed an original and 15 copies of a Motion for Leave to Intervene for filing in the above-referenced docket, along with an original and 15 copies of the following:

1. Motion to Dismiss for Lack of Jurisdiction Over the Subject Matter. *01112-97*
2. Motion to Dismiss for Failure to Join Indispensable Parties. *01113-97*
3. Motion to Dismiss for Failure to State a Cause of Action. *01114-97*
4. Motion to Strike. *01115-97*

Please acknowledge your receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to the undersigned.

Thank you for your assistance in this matter.

Sincerely,

  
Frederick M. Bryant

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
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OTH *orig of 01111-97 to Don*

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BEFORE THE PUBLIC SERVICE COMMISSION

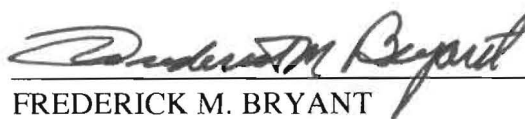
In Re: Petition of Florida Power & Light  
Company for Enforcement of  
Order No. 4285 in Docket No.  
9056-EU.

Docket No. 970022-EU

**MOTION FOR LEAVE TO INTERVENE**

Comes now the CITY OF HOMESTEAD ("City"), pursuant to Rule 25-22.025 and Rule 25-22.026, Florida Rules of Administrative Procedure, and files this Motion for Leave to Intervene as a Respondent. As grounds thereto, the above-referenced Petition requests a determination of issues which directly affects substantial interests of the City.

The City has contemporaneously hereto filed its Motion to Dismiss for Lack of Jurisdiction of the Subject Matter, Motion to Dismiss for Failure to Join Indispensable Parties, Motion to Dismiss for Failure to State a Cause of Action, and Motion to Strike ("Motions") and moves that these Motions be allowed to stand as the City's response to the Petition.



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Attorneys for the City of Homestead

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
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- LIN 5 \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1 \_\_\_\_\_
- WAS \_\_\_\_\_
- OTH orig. to Don

DOCUMENT NUMBER-DATE

01111 JAN 29 1997  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that an original and 15 copies of the foregoing Motion for Leave to Intervene were filed with **Ms. Blanca S. Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, Room 110, Easley Conference Center, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850**; and that a true and correct copy of the foregoing was furnished by Hand Delivery to **Lorna R. Wagner, Esquire, Division of Legal Services, Florida Public Service Commission, Room 370, Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850**; and that true and correct copies of the foregoing were furnished by regular U.S. mail to **Wilton R. Miller, Esquire, Bryant, Miller and Olive, P.A., 201 South Monroe Street, Suite 500, Tallahassee, FL, 32301**; and **David L. Smith, Esquire, Florida Power & Light Company, P.O. Box 029100, Miami, FL 33102-9100** on this 29th day of January, 1997.

  
\_\_\_\_\_  
Attorney

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