

RECEIVED

MAY 12-1997

ORIGINAL FILE COPY

MEMORANDUM

May 12, 1997

FPSC - Records/Reporting

TO: Blanca Bayó, Director, Division of Records and Reporting

FROM: Mary Anne Helton, Associate General Counsel, Division of Appeals *MAH*
 Roberta Bass, Public Utilities Supervisor, Division of Electric and Gas *RAB*

RE: Docket No. 970502-EC - Petition for declaratory statement by Clay Electric Cooperative, Inc. pursuant to Rules 25-22.020 and 25-22.021, Florida Administrative Code

On April 28, 1997, Clay Electric Cooperative, Inc. filed a petition for declaratory statement seeking the Commission's opinion as to the applicability of Rule 25-6.0441(2)(a) and (2)(d), Florida Administrative Code, to electric service for River City Plastics in Baker County. On May 5, 1997, Florida Power and Light Company filed a motion to dismiss Clay's petition. Then, on May 7, 1997, Clay filed a notice of voluntary dismissal of its petition, and on May 8, 1997, FPL filed a notice of withdrawal of its motion.

There are no pending issues remaining in this docket that need to be addressed by the Commission, no request for a refund of a filing fee has been made, and no agency action has been taken. Accordingly, pursuant to Administrative Procedures Manual Section 2.07 C. 6. d. this docket can be closed. Moreover, after Clay filed its declaratory statement petition, FPL filed a petition to resolve territorial dispute concerning the same territory. All issues concerning the territorial dispute will be addressed by the Commission in a separate proceeding - Docket No. 970512-EI.

cc: John Haswell
 Vicki Johnson
 Mark Logan

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- ENR _____
- OPC _____
- RCR _____
- SEC _____
- WAS _____
- OTH _____

OK
 SPS
 5/16/97

DOCUMENT NUMBER-DATE

04906 MAY 16 97

FPSC RECORDS/REPORTING