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April 9, 1998

980283-EG

FEDERAL EXPRESS

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

Re: **Florida Power Corporation's Response to Joint Petition of Dade
County and Montenay to Intervene for Limited Purpose of Moving
to Dismiss**

Dear Ms. Bayó:

Enclosed for filing please find an original and fifteen copies of Florida Power Corporation's Unopposed Motion For Enlargement of Time to File Its Memorandum in Opposition to Miami-Dade County's and Montenay-Dade, Ltd.'s Motion to Dismiss.

Please acknowledge your receipt of the above filing on the enclosed copy of this letter and return to the undersigned. Thank you for your assistance in this matter.

Sincerely,

Robert L. Ciotti

ACK _____

AFA _____

APP Ballak

CAF _____

CMU _____

CTR _____

EAG 2 Enclosures

LEG cc. James D. Wing, Esquire

LEG Counsel for Metropolitan Dade County (w/accompanying Response)

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OPC _____

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SEC 1

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DOCUMENT NUMBER-DATE

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CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P.A.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Declaratory Statement that Commission's Approval of Negotiated Contract for Purchase of Firm Capacity and Energy between Florida Power Corporation and Metropolitan Dade County, Order No. 24734, Together with Order Nos. PSC-97-1437-FOF-EQ, Rule 25-17.0832, F.A.C. and Order No. 24989, Establish that Energy Payments thereunder, including when Firm or As-Available Payment is Due, Are Limited to Analysis of Avoided Costs based upon Avoided Unit's Contractually-Specified Characteristics,

Docket No. 980283-EQ

Submitted for Filing:
April 9, 1998

by Florida Power Corporation

FLORIDA POWER'S UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE ITS MEMORANDUM IN OPPOSITION TO MIAMI-DADE COUNTY'S AND MONTENAY-DADE, LTD.'S MOTION TO DISMISS

Florida Power Corporation ("FPC") pursuant to Rule 25-22.037, Florida Administrative Code ("F.A.C.") hereby requests an enlargement of time to May 12, 1998, to file its memorandum in opposition to the Motion to Dismiss FPC's Petition for Declaratory Statement filed by Miami-Dade County ("Dade") and Montenay-Dade, Ltd. ("Montenay"). The undersigned counsel has discussed this requested enlargement with counsel for Dade and Montenay and is authorized to represent that Dade and Montenay do not oppose the request.

In support of its unopposed motion, FPC states as follows:

1. On February 24, 1998, FPC filed a Petition for Declaratory Statement.

2. On April 6, 1998, following two unopposed motions for extensions of time, Dade and Montenay filed a 40-page motion to dismiss, which motion was accompanied by 106 pages of appendices. Under Rule 25-22.037(2)(b), F.A.C., FPC's memorandum in opposition to Dade and Montenay's submission would be due April 13, 1998, only seven days after it was served.

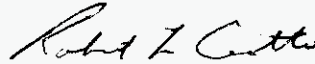
3. In order fully to digest Dade and Montenay's filing, and to prepare a succinct response thereto, FPC's counsel will need an extension of time roughly commensurate with that provided to Dade and Montenay. That is especially true given the present schedule of FPC's counsel which already is quite congested during the next several weeks. In particular, counsel must defend and take a significant number of depositions in advance of an impending discovery cutoff in early May in one matter, and the court-ordered deadline for filing of a class action pleading in another. In addition, in the same time frame, pursuant to court orders, counsel has appellate briefs due to be filed in other cases. As a result, FPC's counsel will not have adequate time, within that provided under Rule 25-22.037(2)(b), to assist in the preparation of FPC's memorandum in opposition to the Motion to Dismiss.

4. Accordingly, FPC requests that the Commission grant to it an enlargement of time, through and including May 12, 1998, for the filing of its memorandum in opposition to Dade and Montenay's Motion to Dismiss.

5. The undersigned counsel for FPC has discussed this requested enlargement with counsel for Dade and Montenay and is authorized to represent that Dade and Montenay do not object to this request.

WHEREFORE, FPC respectfully requests that the Commission enlarge the time in which FPC is to file its memorandum in opposition to Dade County's and Montenay's Joint Motion to Dismiss, through May 12, 1998.

Respectfully submitted,



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AND

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FLORIDA POWER CORPORATION
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P.O. Box 14042
St. Petersburg, FL 33733-4042

Attorneys for Florida Power Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished, by U.S. Mail, to Gail P. Fels, Esq., Assistant County Attorney, Dade County Aviation Dept., P.O. Box 592075 AMF, Miami, Florida 33159, counsel for Dade County; Robert Scheffel Wright, Esq., Landers & Parsons, 310 West College Avenue, P.O. Box 271, Tallahassee, Florida 32302, counsel for Montenay; and David E. Smith, Esq., Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Third Floor, Gunter Building, Tallahassee, Florida 32399-0850; this 9th day of April, 1998.



Robert L. Ciotti