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Matthew M. Childs, P.A.

January 14, 1999

Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, FL 32399

ORIGINAL

RECORDS AND
REPORTING

99 JAN 14 PM 12:00

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RE: DOCKET NO. 980569-PU

Dear Ms. Bayó:

Enclosed for filing please find the original and fifteen (15) copies of Florida Power & Light Company's Request for Hearing in the above referenced docket.

Very truly yours,



Matthew M. Childs, P.A.

MMC:ml

cc: Mary Anne Helton, Division of Appeals, FPSC

- ACK _____
- AEA 1
- APP above
- CAF _____
- CMU 1
- CTR _____
- EAG 2
- LEG _____
- LIN 5
- OPC _____
- RCH 1
- SEC 1
- WAS 1
- OTH _____

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Proposed amendments to Rules) DOCKET NO. 980569-PU
25-4.002, F.A.C., Application and Scope;) DATE: JANUARY 14, 1999
25-4.141, F.A.C., Minimum Filing)
Requirements for Rate of Return)
Regulated Local Exchange Companies;)
Commission Designee; 25-4.202, F.A.C.,)
Construction and Waivers; 25-24.455,)
F.A.C., Scope and Waiver; 25-6.002,)
F.A.C., Application and Scope; 25-6.043,)
F.A.C., Investor-Owned Electric Utility)
Minimum Filing Requirements; Commission)
Designee; 25-6.0438, F.A.C., Non-Firm)
Electric Service - Terms and Conditions;)
25-17.087, F.A.C., Interconnection and)
Standards; 25-30.010, F.A.C., Rules for)
General Application; 25-30.011, F.A.C.,)
Application and Scope; 25-30.436, F.A.C.,)
General Information and Instructions)
Required of Class A and B Water and)
Wastewater Utilities in an Application)
for Rate Increase; 25-30.450, F.A.C.,)
Burden of Proof and Audit Provisions;)
25-30.455, F.A.C., Staff Assistance in)
Rate Cases; 25-30.456, F.A.C., Staff)
Assistance in Alternative Rate Setting;)
25-30.570, F.A.C., Imputation of)
Contributions-in-Aid-of-Construction;)
and 25-30.580, F.A.C., Guidelines)
for Designing Service Availability Policy)
_____)

REQUEST FOR HEARING

Florida Power & Light Company ("FPL") pursuant to the Notice of Rulemaking contained in Order No. PSC-98-1716-NOR-PU and Section 120.54(3), Florida Statutes, hereby requests that a hearing be scheduled and held to give FPL an opportunity to present evidence

and argument and for other permissible purposes. In support of this Request for Hearing FPL states:

1. FPL is a public utility subject to the jurisdiction of this Commission pursuant to Chapter 366, Florida Statutes.

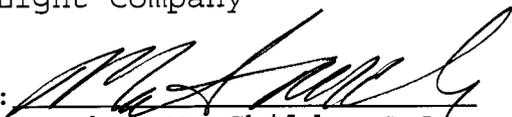
2. Various specific rules among those proposed to be amended in this Docket apply to FPL. These include Chapter 25-6 and Chapter 25-17, Fla. Admin. Code. (The Rules that apply specifically to electric utilities are: 25-6.002(2), F.A.C., Application and Scope; 25-6.043(3), F.A.C., Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee; 25-6.0438(9), F.A.C., Non-Firm Electric Service - Terms and Conditions; 25-17.087(2), F.A.C., Interconnection and Standards). The proposed repeal will affect FPL and FPL is an affected person within the meaning of Section 120.54, Fla. Stats.

The proposed amendments affect FPL by making substantive rules (that is, rules that are not purely procedural) applicable to FPL without the "variance, waiver or deferral of that application" available under these current rules. Stated differently, the proposed repeal of the "variance, waiver or deferral" procedures proposed by the Commission in this rule amendment proceeding is substantive rulemaking that directly affects FPL and was not noticed.

WHEREFORE, FPL hereby requests that a hearing be scheduled and held to give FPL an opportunity to present evidence and argument and for other permissible purposes.

Respectfully submitted,

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By: 
Matthew M. Childs, P.A.