

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the equity ratio  
and return on equity of Florida Power &  
Light Company

Docket No. 981390-EI

**FLORIDA ALERT AND GEORGIA-PACIFIC CORPORATION'S MOTION FOR  
EXTENSION OF TIME, MOTION FOR RECONSIDERATION, AND CONCURRENCE  
IN MOTION FOR RECONSIDERATION FILED BY OTHER PETITIONERS**

Petitioners, Florida Alliance for Lower Electric Rates Today ("ALERT") and Georgia-Pacific Corporation (collectively "Petitioners"), move for reconsideration of Order No. PSC 99-0178-PSC-EI, move for leave to file such motion after the deadline, and concur in the motion for reconsideration filed by the other intervenors, and in support say:

I. MOTION FOR LEAVE TO FILE AFTER DEADLINE

1. On January 29, 1999, the Prehearing Officer issued an Order Establishing Procedure, Order No. PSC-99-0178-PSC-EI ("the Order").

2. The undersigned did not receive a copy of the Order until February 5, 1999. When contacted about getting a copy of the order, staff in the Division of Records and Recording stated that Petitioners had inadvertently been left off the service list.

3. Because the undersigned did not receive the Order until three days before the expiration of the period to request reconsideration, Petitioners should be allowed additional time to file their motion for reconsideration.

4. Counsel for the Coalition for Equitable Rates, Florida Industrial Power Users Group ("FIPUG") and Tropicana Products, Inc. have no objections to this motion. The

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APP \_\_\_\_\_  
C.F. \_\_\_\_\_  
CMU \_\_\_\_\_  
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SEC 1  
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undersigned have been unable to reach counsel for Florida Power & Light Company ("FPL") regarding this motion.

## II. MOTION FOR RECONSIDERATION

5. Attached to the Order is a list of issues for determination in this docket. Without explanation, the Order excludes certain issues raised by Petitioners at the informal issues identification conference on January 21, 1999. Specifically, the Order issue list does not include the following issues raised by Petitioners: i) whether accelerated depreciation and amortization of assets subject to the amortization plan authorized by Order NO. PSC-98-1748-FOF-EI ("the PAA") results in a correction of reserve deficiencies or a recovery of alleged stranded costs, and ii) whether recovery of alleged stranded costs prior to retail competition is fair and reasonable to consumers and if so, whether such stranded costs can be calculated in advance of competition.

6. Florida has a regulated electric utility market. Recovery of stranded costs by FPL in a regulated environment is unfair to customers, creates intergenerational inequity, and benefits only FPL shareholders.

7. Staff has already propounded discovery to Petitioners concerning FPL's recovery of stranded costs.

8. This issue is crucial to the determination of whether the PAA is fair and reasonable and whether it provides windfall benefits to FPL at the expense of customers.


9. Counsel for the Coalition for Equitable Rates, FIPUG, and Tropicana Products, Inc. have no objections to this motion. The undersigned have been unable to reach counsel for FPL regarding this motion.

III. CONCURRENCE IN MOTION FOR RECONSIDERATION FILED BY OTHER PETITIONERS

10. Petitioners concur in the Motion for Reconsideration filed on February 8, 1999 by the Coalition for Equitable Rates, FIPUG and Tropicana Product, Inc.

WHEREFORE Petitioners request the entry of an order allowing Petitioners to file this motion after the deadline and amending the issue list in this docket to include the issues raised in this motion and the motion for reconsideration filed by the other petitioners.

Dated this 10th day of February, 1999.

  
J. Michael Huey (Fla. Bar # 0130971)  
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CERTIFICATE OF SERVICE

The undersigned certifies that the original of the foregoing and 15 copies have been furnished by hand-delivery to Blanca S. Bayo, Director, PSC Division of Records and Reporting, 4750 Esplanade Way, Room 110, Tallahassee, FL 32399, and that a copy of the foregoing has been furnished by hand-delivery (\*) or U.S. Mail this 10th day of February, 1999, to the following:

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