

IN THE SUPREME COURT OF THE STATE OF FLORIDA

In re: Petition by Florida Power Corporation for Declaratory Statement that Commission's Approval of Negotiated Contract for Purchase of Firm Capacity and Energy Between FPC and Metropolitan Dade County in Order No. 24734, Together with Orders Nos. PSC-97-1437-FOF-EQ and 24989, PURPA, Florida Statute 366.051 and Rule 25-17.082, F.A.C., 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.

69
MAR 10 11 08 AM '99

FLORIDA POWER CORPORATION,
Appellant,

vs.

Case No. 94-664

Florida Public Service Commission,
Agency / Appellee;

980283-EQ

Metropolitan Dade County; and
Montenay-Dade, Ltd.

Intervenors / Appellees.

UNOPPOSED MOTION FOR EXTENSION OF TIME

ACK _____
MFA _____
APP _____
DAF _____
DMV _____
CT _____
EAL _____
LF _____
LI _____
OJ _____
RC _____
SEL 1 _____
WAS _____
OTH _____

Appellant, FLORIDA POWER CORPORATION ("FPC"), by its undersigned attorneys, moves the court, pursuant to Rule 9.300, Florida Rules of Appellate Procedure, for an extension of time to and including March 26, 1999, within which to serve its initial brief in this cause, and in support thereof states:

DOCUMENT NUMBER-DATE

03089 MAR 10 99

FPSC-RECORDS/REPORTING

1. Appellant's initial brief is due to be served on Monday, March 15, 1999.

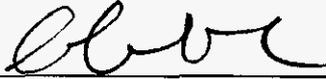
2. Counsel for the appellant have been involved in many other legal matters in this and other courts throughout the state, which necessitates the additional time requested for completion of the appellant's reply brief. In particular, all of the counsel for appellant on this appeal were also counsel of record in a death penalty appeal, Jones v. State, Case No. 91,014, argued to this Court yesterday, which required substantial preparation time by them.

3. This request for a brief extension of time is not made for the purpose of unnecessary delay, is made in good faith, and will not prejudice the rights of the parties.

4. Counsel for appellee has advised the undersigned that there is no objection to this requested extension.

WHEREFORE, appellant FLORIDA POWER CORPORATION requests that the time in which its initial brief is to be served be extended to and including March 26, 1999.

Respectfully submitted,



Sylvia H. Walbolt FBN 033604
Chris C. Coutroulis FBN 300705
Robert L. Ciotti FBN 333141
Joseph H. Lang, Jr. FBN 0059404
CARLTON FIELDS
200 Central Avenue, Suite 2300
St. Petersburg, Florida 33701
Phone (727) 821-7000

Attorneys for Appellant
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 Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; Gail P. Fels, Esquire, Assistant County Attorney, Dade County Aviation Department, Post Office Box 592075 AMF, Miami, Florida 33159 (counsel for Dade County); Robert Scheffel Wright, Esquire, Landers & Parsons, 310 West College Avenue, Post Office Box 271, Tallahassee, Florida 32302 (counsel for Montenay); and David E. Smith, Esquire, Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Third Floor, Gunter Building, Tallahassee, Florida 32399-0850 this 9 day of March, 1999.



Attorney