

ORIGINAL

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power & Light ) DOCKET NO. 990249-EI  
Company for Approval of a )  
Standard Offer Contract ) Filed: March 18, 1999

REQUEST FOR REPRESENTATION BY A QUALIFIED REPRESENTATIVE

NOW BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL" or the "Company") and, for this its Request for Representation by a Qualified Representative pursuant to Rule 28-106.106 in the above-referenced proceeding, states as follows:

1. FPL is a public utility subject to the jurisdiction of the Florida Public Service Commission ("Commission") under Chapter 366, Florida Statutes. FPL's general Offices are located at 9250 West Flagler Street, Miami, FL 33174.
2. Any pleading, motion, notice, order or other document required to be served upon the petitioner or filed by any party relative to this Request for Representation should be served upon the following individuals:

ACK \_\_\_\_\_  
 AFA   I    
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
 CTR \_\_\_\_\_  
 EAG   Dutley    
 LEG   I    
 LIN \_\_\_\_\_  
 OPC \_\_\_\_\_  
 RCH \_\_\_\_\_  
 SEC   I    
 WAS \_\_\_\_\_  
 OTH \_\_\_\_\_

William G. Walker, III  
 Vice President  
 Florida Power & Light Company  
 215 South Monroe Street  
 Suite 810  
 Tallahassee, FL 32301-1859  
 (850) 224-7517

Patrick M. Bryan  
 Attorney  
 Florida Power & Light Company  
 700 Universe Boulevard  
 Juno Beach, Florida 33408-0420  
 (561) 691-7083

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3. This Petition is filed pursuant to Rule 28-106.106 of the Florida Administrative Code. Rule 28-106.106(2)(a) requires that the Company submit a written request with the presiding officer in the event that the Company elects to be represented before the Commission by a qualified representative. The Company hereby submits such request.

4. The Company seeks leave of the presiding officer for the individual identified below to appear as a qualified representative on behalf of the Company for any purpose and in all matters or proceedings conducted before the Commission in connection with the above referenced matter.

R. Wade Litchfield  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 691-7101

5. Consistent with Rule 25-106.106(2)(b), the Company hereby affirms that it is aware of the services Mr. Litchfield can provide and, further, that the Company can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1). Indeed, the Company has elected or may elect to be represented in this matter by other attorneys in addition to Mr. Litchfield.

6. The Company submits that Mr. Litchfield possesses the necessary qualifications to responsibly represent the Company’s interests in this matter. In this regard, Mr. Litchfield’s qualifications are set forth in the attached affidavit.

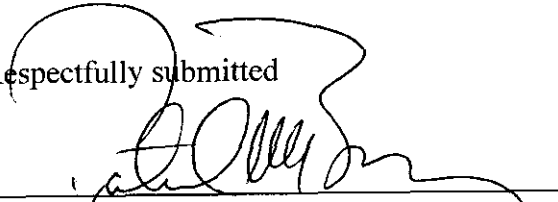
7. As reflected in Mr. Litchfield's affidavit, he: (i) is an attorney admitted to practice in the States of New York and Louisiana; (ii) has practiced extensively before other utility regulatory agencies or authorities; (iii) has reviewed portions of the Florida Statutes relative to the Commission's jurisdiction, (iv) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; and (v) has reviewed portions of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding.

8. As further reflected in Mr. Litchfield's affidavit, he has been certified by the Supreme Court of Florida as "Authorized House Counsel" pursuant to Chapter 17 of the Rules Regulating the Florida Bar. As such, Mr. Litchfield is subject to the Rules Regulating the Florida Bar and to the jurisdiction of the Supreme Court of Florida for disciplinary purposes. Rule 17-1.2(4) of the Rules Regulating the Florida Bar. Mr. Litchfield has reviewed Rule 28-106.107 of the Florida Administrative Code (Standards of Conduct for Qualified Representatives), which standards of conduct are comprehended by the Rules Regulating the Florida Bar, and agrees to abide by same.

9. Consistent with the standard set forth in Rule 28-106.107, Mr. Litchfield has acquired or will acquire knowledge of the factual and legal issues involved insofar as his representation of the Company is concerned in the above-referenced proceedings.

**WHEREFORE**, for the above and foregoing reasons, Florida Power & Light Company respectfully requests that its Request for Representation by a Qualified Representative be granted.

Respectfully submitted



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Patrick M. Bryan  
Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 691-7083



design, rate application, depreciation rates, affiliate transactions, nuclear decommissioning, integrated resource planning, conservation programs, incentive rate plans, franchise or service territory rights, and pole attachments. I also have made appearances or participated in rulemaking and other proceedings before the Louisiana Commissioner of Conservation, the Public Utility Commission of Texas, the Arkansas Public Service Commission, the Federal Energy Regulatory Commission, and the Federal Communications Commission.

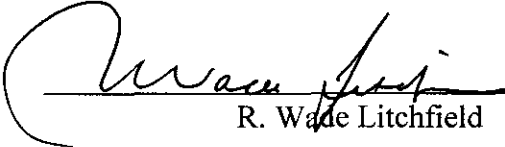
4. I have reviewed portions of the Florida Statutes relating to jurisdiction of the Florida Public Service Commission, and the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding. I also have reviewed portions of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding. The foregoing rules and statutory provisions generally are consistent with those with which I have experience and am familiar.

5. I have been certified by the Supreme Court of Florida as “Authorized House Counsel” pursuant to Chapter 17 of the Rules Regulating the Florida Bar. Accordingly, I am subject to the Rules Regulating the Florida Bar and to the jurisdiction of the Supreme Court of Florida for disciplinary purposes.

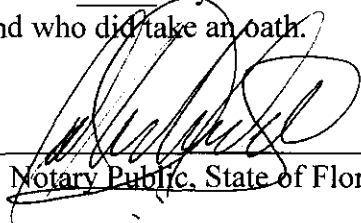
6. I have reviewed Rule 28-106.107 of the Florida Administrative Code and agree to abide by its standards.

7. Consistent with the standard set forth in Rule 28-106.107, I have acquired or will acquire knowledge of the factual and legal issues involved insofar as my representation of Florida Power & Light Company is concerned in the above-referenced proceeding.

8. Affiant says nothing further.

  
R. Wade Litchfield

**SUSCRIBED AND SWORN TO** before me this 11<sup>th</sup> day of March 1999, by R. Wade Litchfield, who is personally known to me, and who did take an oath.

  
Notary Public, State of Florida

My Commission Expires: \_\_\_\_\_





R. Wade Litchfield  
 Senior Attorney  
 Florida Authorized House Council  
 Florida Power & Light Company  
 700 Universe Boulevard  
 Juno Beach, FL 33408-0420  
 (561) 691-7103 (Facsimile)

Writer's Direct Dial:  
 (561) 691-7101

March 17, 1999

**VIA HAND DELIVERY**

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

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 RECORDS AND  
 REPORTING

**Re: Florida Power & Light Company's Requests for  
 Representation by a Qualified Representative**

Dear Ms. Bayo:

I enclose and hand you herewith for filing, the original and fifteen (15) copies of each of Florida Power & Light Company's ("FPL") Requests for Representation by a Qualified Representative in the following matters before the Commission:

- Docket No. 981923-EI 03556-99
- Docket No. 981942-EI ~~docket closed~~
- Docket No. 990001-EI 03557-99
- Docket No. 990002-EG 03558-99
- Docket No. 990179-EI 03559-99
- Docket No. 990249-EI 03560-99
- Docket No. 990293-EI 03561-99

*filing given back to FPL/Adams law*  
 RECEIVED & FILED  
  
 FPSC-BUREAU OF RECORDS

Please do not hesitate to contact me should you or your Staff have any questions regarding these filings.

Thanking you for your attention to this matter, I remain,

Sincerely,  
  
 R. Wade Litchfield

RWL/lmr  
 Enclosures