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June 8, 1999

Matthew M. Childs, P.A.

Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, FL 32399-0850

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99 JUN -8 PM 3:19
RECORDS AND
REPORTING

RE: DOCKET NO. 981890-EU

Dear Ms. Bayó:

Enclosed for filing please find the original and seven (7) copies of Florida Power & Light Company's Emergency Request for Status Conference and Preliminary Prehearing Conference in the above referenced docket.

Also enclosed is a formatted double sided high density 3.5 inch diskette containing the Emergency Request for Status Conference and Preliminary Prehearing Conference.

Very truly yours,

Matthew M. Childs, P.A.

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

MMC/ml

- AFA 2
- APP _____
- CAF _____
- CMU _____
- CTR _____
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- OPC _____
- RRR _____
- SEC 1
- VAV _____
- OTH _____

cc: All Parties of Record
Commissioner Julia L. Johnson, Prehearing Officer

DOCUMENT NUMBER-DATE

07031 JUN-8 99

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Generic Investigation) DOCKET NO. 981890-EI
Into the Aggregate Electric) DATE: JUNE 8, 1999
Utility Reserve Margins Planned)
for Peninsular Florida)

EMERGENCY REQUEST FOR STATUS CONFERENCE AND
PRELIMINARY PREHEARING CONFERENCE

Florida Power & Light Company ("FPL") hereby submits this Emergency Request for a Status Conference and Preliminary Prehearing Conference. In support of this Request FPL states:

1. FPL is subject to the jurisdiction of the Florida Public Service Commission pursuant to Chapter 366, Florida Statutes.
2. In this Docket, as set forth in the two Orders Establishing Procedure, the Commission has scheduled hearings for September 28 and 29, 1999 and the receipt of briefs by October 20, 1999 on matters not yet identified. Instead, the matters are to be identified as late as the prehearing conference on September 8, 1999 but based on testimony filed by the utilities on July 6, 1999; by Intervenors on July 19, 1999; and, by the Staff on August 2, 1999.
3. The process for "identifying issues," the process, and lack thereof, of identifying disputed issues of material fact, and

the resulting designed unlimited discretion to establish on what to vote at the conclusion of this Docket and to control what opportunity is available to provide evidence and confront evidence on proper disputed issues of material fact is and will seriously prejudice FPL and deny FPL its rights to due process of law. The procedures identified for application in this docket are in direct conflict with the Administrative Procedure Act, Chapter 120, Florida Statutes (1998).

4. The scope of and nature of this proceeding conflicts with public directions of the Commission as well as the Administrative Procedure Act. Similarly, the decisions on intervention are procedurally improper and once again serve to prejudice FPL and deny it its rights to due process of law.
5. At no point in this proceeding has FPL been afforded an opportunity to participate in the decision making process concerning the procedure to be followed and the resulting denial of due process of law. Currently, the Commission and Staff have established that FPL will file testimony on July 6, 1999 on issues that have yet to be identified. Under this and other circumstances, FPL submits that a status conference and preliminary prehearing conference are imperative.

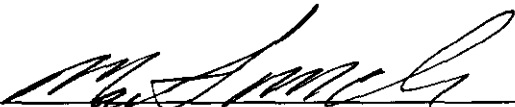
WHEREFORE, FPL submits this Emergency Request for a Status

Conference and Preliminary Prehearing Conference.

Respectfully submitted,

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Attorneys for Florida Power
& Light Company

By:


Matthew M. Childs, P.A.

CERTIFICATE OF SERVICE
DOCKET NO. 981890-EU

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Emergency Request for Status Conference and Preliminary Prehearing Conference has been furnished by Hand Delivery,* or Facsimile/Electronic mailing ** this 8th day of June, 1999 to the following. In addition a copy has been sent by U.S. Mail.

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