



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

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

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RECORDS AND REPORTING

June 28, 1998

VIA HAND DELIVERY

Ms. Blanca S. Bayò  
Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard, Room 110  
Tallahassee, FL 32399-0850

**Re: Florida Power & Light Company's Request for  
Representation by a Qualified Representative;  
Docket No. 990693-EI**

Dear Ms. Bayò:

I enclose and hand you herewith for filing, the original and fifteen (15) copies of Florida Power & Light Company's Request for Representation by a Qualified Representative in the above-referenced matter.

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

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

Sincerely,

*[Handwritten signature of R. Wade Litchfield]*  
FPSC-BUREAU OF RECORDS

R. Wade Litchfield

RWL/mm  
Enclosures

AFA  
AFP  
CAF  
GMU  
GTR  
LTC  
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MUN  
OFC  
NFR  
SEC  
WAW  
OTH

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for Confidential Classification of )  
Annual Status Report for Year Ended 1998 ) DOCKET NO. 990693-EI  
Submitted Pursuant to Rule 25-6.0436(9), )  
F.A.C. by Florida Power & Light Company ) Filed: June 28, 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:

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

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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 Docket No. 990689-EI.

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.

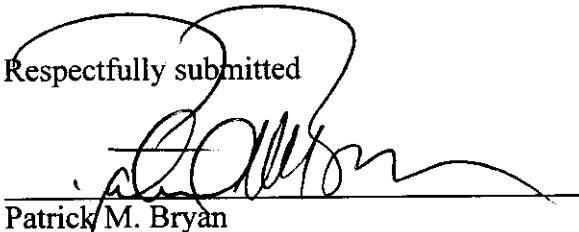
7. As reflected in Mr. Litchfield's affidavit, he: (i) is an attorney admitted to practice in the States of New York and Louisiana; (ii) has practiced extensively before other utility regulatory agencies or authorities; (iii) has reviewed portions of the Florida Statutes relative to the Commission's 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 in 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

A handwritten signature in black ink, appearing to read 'Patrick M. Bryan', is written over a horizontal line. The signature is stylized and cursive.

Patrick M. Bryan

Attorney

Florida Power & Light Company

700 Universe Boulevard

Juno Beach, Florida 33408-0420

(561) 691-7083

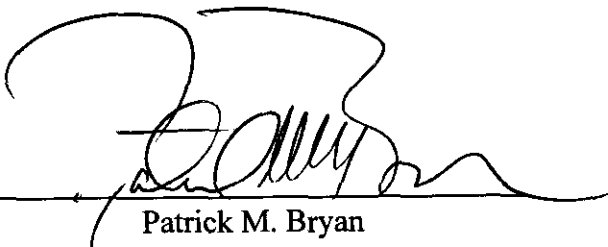
## CERTIFICATE OF SERVICE

**I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY** that a copy of Florida Power & Light Company's Request for Representation by a Qualified Representative and accompanying Affidavit have been served via first class mail, postage prepaid to the parties listed below, this 28<sup>th</sup> day of June, 1999:

Florida Industrial Cogeneration Assoc.  
C/o Richard Zambo, Esq.  
598 SW Hidden River Ave.  
Palm City, FL 34990

Florida Industrial Power users Group  
C/o John McWhirter, Jr.  
McWhirter Reeves  
P.O. Box 3350  
Tampa, FL 33601-3350

McWhirter Law Firm  
Joseph McGlothlin/Vicki Kaufman  
117 S. Gadsden St.  
Tallahassee, FL 32301



Patrick M. Bryan

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for Confidential Classification of    )  
Annual Status Report for Year Ended 1998,    )       DOCKET NO. 990693-EI  
Submitted Pursuant to Rule 25-6.0436(9),    )  
F.A.C. by Florida Power & Light Company    )       Filed: June 28, 1999

STATE OF FLORIDA                            )  
  )       **AFFIDAVIT OF R. WADE LITCHFIELD**  
COUNTY OF PALM BEACH                    )

**BEFORE ME**, the undersigned authority, personally appeared R. Wade Litchfield who, being first duly sworn, did depose and say:

1.       My name is R. Wade Litchfield. I am currently employed by Florida Power & Light Company ("FPL") as Senior Attorney. My business address and telephone number are as follows:

700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 691-7101

2.       I have personal knowledge of the matters stated in this affidavit.

3.       I am an attorney, admitted to the practice of law in the State of New York and in the State of Louisiana. I have practiced extensively before the Louisiana Public Service Commission, and the Council for the City of New Orleans, in matters relating to the regulation of utilities. Representing both gas and electric utilities, I have made appearances and participated in numerous regulatory proceedings. Such proceedings include general rate

cases and earnings reviews, as well as proceedings involving, among other subjects, rate 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.

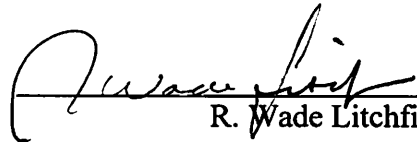
5. I have been certified by the Supreme Court of Florida as “Authorized House Counsel” pursuant to Chapter 17 of the Rules Regulating the Florida Bar. Accordingly, I am subject to the Rules Regulating the Florida Bar and to the jurisdiction of the Supreme Court of Florida for disciplinary purposes.

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

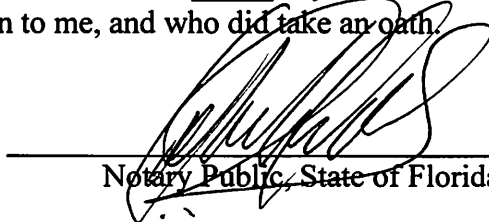


7. Consistent with the standard set forth in Rule 28-106.107, I have acquired or will acquire knowledge of the factual and legal issues involved insofar as my representation of Florida Power & Light Company is concerned in the above-referenced proceeding.

8. Affiant says nothing further.

  
\_\_\_\_\_  
R. Wade Litchfield

**SUBSCRIBED AND SWORN TO** before me this 25<sup>th</sup> day of June 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: 12-13-02

