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October 1, 1999

Blanca S. Bayo, Director
Division of Records and Reporting
Public Service Commission
4750 Esplanade Way, Room 110
Tallahassee, FL 32399

Re: Docket No. 990244-EI and 990250-EI

Dear Ms. Bayo:

Enclosed is an original and fifteen (15) copies of The Coalition and Gulf Power's Joint Request that Dockets be Terminated and Closed to Further Action in the above docket.

We have also enclosed a copy of the document on diskette, prepared in Microsoft Word 7.0 on a Windows 95 operating system. The diskette is a "2HD" density and 1.44 MB.

Thank you in advance for your assistance.

Sincerely yours,

Seann M. Frazier
Seann M. Frazier

Enclosures
SMF/skl

- AFA *Revell*
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- MAS
- OPC
- PAI
- SEC
- W/W
- OTH

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the earnings and)
authorized return on equity of Gulf Power) Docket No. 990250-EI
Company.)
_____)

In re: Petition of Gulf Power Company for)
approval of proposed plan for an incentive) Docket No. 990244-EI
revenue sharing mechanism that addresses)
certain regulatory issues including a reduction) Date filed: October 1, 1999
to the Company's authorized return on equity.)
_____)

**JOINT REQUEST THAT DOCKETS BE TERMINATED
AND CLOSED TO FURTHER ACTION**

The Coalition for Equitable Rates ("Coalition") and Gulf Power Company ("Gulf Power", "Gulf", or "the Company"), by and through their respective undersigned attorneys, and pursuant to Section 120.57(4), Florida Statutes (Supp. 1998), have entered into this joint request to resolve any and all remaining issues raised in Coalition's Petition on Proposed Agency Action for the purposes of an informal disposition of their respective interests in the above-styled proceedings. The parties to this joint request wish to avoid the time, expense and uncertainty associated with adversarial litigation in these dockets in keeping with the long standing policy and practice of the Florida Public Service Commission ("Commission") that encourages parties to contested proceedings to settle issues whenever possible. Accordingly, without prejudice as to any party's position in any other proceeding before this Commission or any other venue, present or future, Coalition and Gulf stipulate and agree as follows:

1. The Stipulation and Settlement between the Office of Public Counsel, Gulf Power, the Florida Industrial Power Users Group and the Coalition in Docket No. 990947-EI should be implemented in lieu of the regulatory incentive plan for Gulf Power previously proposed as set

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forth in Section III of and Attachment A to Commission Order No. PSC-99-1047-PAA-EI or any other regulatory plan that may otherwise result from activities in Docket No. 990250-EI.

2. That in exchange for acceptance of and agreement to the Stipulation and Settlement Agreement in Docket No. 990947-EI and subject to the approval of the Commission set forth in paragraph 4 below, the Coalition's Petition on Proposed Agency Action filed on June 14, 1999 shall be and the same is hereby resolved and shall be of no further force and effect and the parties hereto join in requesting that the Commission accept the Stipulation and Settlement in Docket No. 990947-EI as a complete resolution of all remaining issues in Docket Nos. 990250-EI and 990244-EI affecting Gulf Power Company's authorized return on equity, retail base rates, revenue credits, the level of Gulf's jurisdictional expenses or the level of jurisdictional revenues that may be retained by the Company, and upon such acceptance to close Docket No. 990250-EI without reinstating the order that had been the subject of Coalition's Petition on Proposed Agency Action. Furthermore, subject to the approval of the Commission set forth in paragraph 3 below, all parties hereto waive any right to request further administrative or judicial proceedings in regards to the Stipulation and Settlement in Docket No. 990947-EI and this joint request. Such requests for further administrative or judicial proceedings shall include (but not be limited to): a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code; a motion for reconsideration of the decision in this matter in the form prescribed by Rule 25-22.060, Florida Administrative Code; or a notice of appeal to initiate judicial review by the Florida Supreme Court pursuant to Rule 9.110, Florida Rules of Appellate Procedure, in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

4. This joint request is expressly conditioned upon receiving the Commission's approval of the Stipulation and Settlement in Docket No. 990947-EI and the Commission's approval of the actions requested in this joint request. If the Stipulation and Settlement in Docket No. 990947-EI is not accepted and approved by the Commission in its entirety without further modification by an order that is not subject to further proceedings or judicial review, then this joint request shall be considered null and void and shall be of no further force or effect. In order to allow the Stipulation and Settlement in Docket No. 990947-EI to be implemented as soon as possible, the parties expressly request the Commission to take final agency action approving both the Stipulation and Settlement in Docket No. 990947-EI and this joint request in Docket Nos. 990250-EI and 990244-EI at the earliest possible Commission Conference.

5. Pursuant to and in accordance with Section 120.57(4), Florida Statutes (Supp. 1998), and contingent on approval in its entirety by the Florida Public Service Commission, this joint request is intended to and will resolve all matters in this docket that may affect Gulf Power Company's authorized return on equity, retail base rates, revenue credits, the level of Gulf's jurisdictional expenses or the level of jurisdictional revenues that may be retained by the Company. Accordingly, as part of this joint request, Docket No. 990250-EI is to be terminated and closed to the extent that it may affect Gulf Power Company's authorized return on equity, retail base rates, the level of Gulf's jurisdictional expenses or the level of jurisdictional revenues that may be retained by the Company, such termination and closure to be effective on the date the Commission's order approving this joint request is final.


6. In the interest of administrative efficiency and in order to avoid the expense of litigation that would otherwise be necessary between the filing of this joint motion and the

opportunity for official Commission consideration of the settlement agreements referenced herein, the Coalition and Gulf Power have filed a joint motion to suspend further activities in Docket No. 990250-EI for which the parties hereby join in a request for an immediate ruling.

WHEREFORE, the Coalition for Equitable Rates and Gulf Power Company respectfully request the Florida Public Service Commission to accept and approve the Stipulation and Settlement in Docket No. 990947-EI by the issuance of a final order therein, and to thereupon terminate and close Docket No. 990250-EI to the extent provided for herein.

Respectfully submitted the 1st day of October 1999.

Coalition for Equitable Rates

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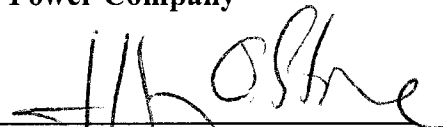
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