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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RECORDS AND REPORTING

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In re: Petition for Determination of Need for an Electrical Power Plant in Okeechobee County by Okeechobee Generating Company, L.L.C.

DOCKET NO. 991462-EU

Filed: January 5, 2000

FLORIDA POWER CORPORATIONS' RESPONSE TO OKEECHOBEE GENERATING COMPANY'S MOTION TO ESTABLISH HEARING DATES AND REVISED PROCEDURAL SCHEDULE

Florida Power Corporation ("FPC"), pursuant to Uniform Rule 28-106.204, Florida Administrative Code, hereby submits its response to Okeechobee Generating Company's ("OGC") Motion to Establish Hearing Dates and Revised Procedural Schedule and states:

Counsel for the parties and the Commission met on or about December 1, 1999 to discuss the time each party might need to prepare for this proceeding. During this meeting, counsel for the parties tentatively agreed that, assuming the resolution of pending discovery disputes could be obtained before the January 1, 2000, the parties could be prepared to proceed to hearing on or about March 20, 2000.

FPC's Motion to Compel is still pending, however, and the parties have been unable, as yet, to resolve the discovery disputes identified therein.

Nonetheless, FPC remains hopeful that these issues will be resolved promptly, and, at this time, has no direct objection to the hearing dates and/or most of the prehearing dates suggested by OGC. However, FPC does object to and cannot agree with OGC's proposal that the deadline for-filing Intervenor testimony should be January 21, 2000. FPC's tentative agreement that given

timely resolution of discovery disputes it could be prepared for a March 20th hearing in this case, was based upon its ability to complete the depositions of OGC's nine witnesses during the month of January 2000, prior to any deadline for filing Intervenor testimony. To this end, FPC's counsel has been working with OGC's counsel to coordinate the depositions of eight of OGC's

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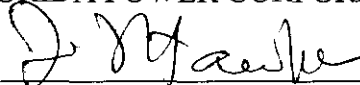
nine witnesses in January. Given the intervening holidays and ongoing negotiations over discovery disputes, FPC believes that its suggested discovery schedule represents a logical and reasonable approach to FPC's systematic and adequate completion of discovery in this proceeding.

If the Commission adopts OGC's proposed prehearing schedule, however, FPC will be put in the position of filing its testimony in this proceeding prior to the completion of the discovery, defeating the very purpose for which the Commission continued the hearing dates in the first place. As set forth in the Commission's Order, the prehearing officer is to exercise discretion in establishing hearing dates and a prehearing schedule "that will allow the parties adequate time to prepare." Order at p. 30.

FPC has proposed a reasonable schedule for completion of a majority of the necessary discovery during the month of January, following which FPC should be given sufficient time up through and including February 4, 2000 within which to complete and file its prefiled testimony. Assuming the outstanding discovery disputes between FPC and OGC are resolved by the parties or this Commission during the first week in January 2000, FPC agrees that the remainder of OGC's proposed schedule appears reasonable at this time.

Respectfully submitted,

FLORIDA POWER CORPORATION



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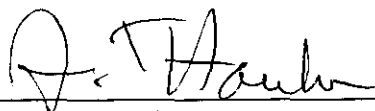
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing FLORIDA POWER CORPORATION'S RESPONSE TO OKEECHOBEE GENERATING COMPANY'S MOTION TO ESTABLISH HEARING DATES AND REVISED PROCEDURAL SCHEDULE has been furnished by facsimile and U.S. Mail to Robert Scheffel Wright and John Moyle as counsel for Okeechobee Generating Company and via U.S. Mail to all other counsel of record this 5th day of January, 2000.



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