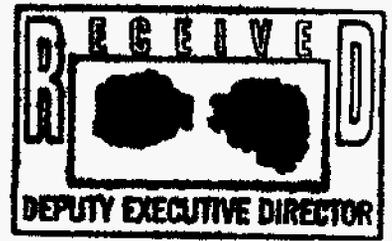


MEMORANDUM

April 12, 2000



TO: CHAIRMAN GARCIA

FROM: DIVISION OF LEGAL SERVICES (CLEMONS/STERN/ISAAC) *one*
 DIVISION OF ELECTRIC AND GAS (COLSON/FUTRELL) *MKS RVE*

RE: DOCKET NO. 000288-EU - PETITION FOR DETERMINATION OF NEED FOR AN ELECTRICAL POWER PLANT IN LAKE COUNTY BY PANDA LEESBURG POWER PARTNERS, L.P. *RC*

DOCKET NO. 000289-EU - PETITION FOR DETERMINATION OF NEED FOR AN ELECTRICAL POWER PLANT IN ST. LUCIE COUNTY BY PANDA MIDWAY POWER PARTNERS, L.P.

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 APR 12 PM 3:51
 RECC. DIV. AND REPORTING

On March 27, 2000, Florida Power & Light Company, and Florida Power Corporation each filed separate Petitions to Intervene in these two dockets. The cases have since been consolidated for hearing. Panda Leesburg Power Partners, L.P. and Panda Midway Power Partners, L.P. (collectively referred to as Panda) have filed timely responses in opposition to the petitions. Panda has also asked for Oral Argument on the issue. The Prehearing Officer has referred the decision on the intervention requests to the full Commission.

The hearing in these dockets is scheduled for July 12-14, 2000. The next regularly scheduled agenda is May 16, 2000. The potential intervenors also filed several other motions which could alter the timing of events, including the hearing. In addition, the potential intervenors have no right to conduct discovery until they are granted party status. Waiting until the next regularly scheduled agenda conference to present the Intervention to the Commissioners could have the effect of delaying the hearing.

Procedurally, it is most efficient to rule on the Motions to Intervene as soon as possible so that the scheduling issues can be resolved in a timely manner. For these reasons, staff requests permission to file its recommendation on the Petitions to Intervene on April 17, 2000, at 12:00 noon, for the Agenda Conference on April 18, 2000.

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Recommend approval. MAB

cc: Dr. Mary Bane, Deputy Executive Director/Technical

DOCUMENT NUMBER-DATE

04486 APR 12 8

OK - JCS for Chairman 4-12-00

FPSC-RECORDS/REPORTING