



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: April 17, 2000
TO: Chairman Joe Garcia
FROM: Commissioner J. Terry Deason *JTD*
RE: Special Agenda - Docket Nos. 000288-EI and 000289-EI

By this memo, I am requesting that a special agenda be set to hear oral argument and make a decision concerning the pending Petitions to Intervene filed by both Florida Power & Light Company and Florida Power Corporation in the above-referenced dockets. 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. At this point, I am referring the decision on the intervention requests to the full Commission. Staff indicates that this could be accomplished on May 5, 2000, and meet all applicable notice requirements.

By way of background, the hearing in these dockets is scheduled for July 12-14, 2000. The next regularly scheduled agenda is May 16, 2000. The potential intervenors have no right to conduct discovery until they are granted party status. 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. Staff has checked the other Commissioners calendars and all are available on May 5, 2000. For these reasons, I request that a special agenda be set for May 5, 2000 to hear oral argument and make a decision concerning the pending Petitions to Intervene filed by both Florida Power & Light Company and Florida Power Corporation in the above-referenced dockets.

CC: Commissioners
 Dr. Mary Bane
 Cathy Bedell
 Joe Jenkins
 Bob Elias
 Jackie Edwards

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Ok JTB for Chairman 4-17-00

Carol - FYI Mary

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