

Commissioners:
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DIVISION OF APPEALS
DAVID SMITH
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(850) 413-6245

Public Service Commission

April 20, 2000

Ms. Anna Cam Fentriss
Governmental Relations
PMB 243
1400 Village Square Boulevard, Number 3
Tallahassee, FL 32312

Re: PSC Docket No. 980643-EI

Dear Ms. Fentriss:

I am writing to confirm our conversation yesterday afternoon concerning the Commission's decision at its April 18, 2000, Agenda Conference to propose amendments to Rules 25-6.135, 25-6.1351, and 25-6.0436, Florida Administrative Code. As I stated, your hearing request dated April 18, 2000, is untimely.

Pursuant to Section 120.54(3)(c), Florida Statutes, a hearing cannot be requested until the Commission publishes its notice in the Florida Administrative Weekly (FAW). This notice should be published on May 5, 2000, which means that you will have a window of opportunity from May 5 until May 26, 2000, to request a hearing or file comments. You may call the Division of Records and Reporting at 413-6770 to find out how to have your name added to the mailing list for this docket so that you will receive a copy of the Commission's Notice of Proposed Rulemaking, which will have attached the Commission's notice that will be published in the FAW.

If a hearing is requested, the hearing officer presiding over the Section 120.54 rulemaking hearing will be an attorney on the Commission staff. Pursuant to Section 120.54(3)(c), if the Commission decides to make any changes to its proposed rules, the changes must be based on the comments received after the rule is published in the FAW or the record of the rulemaking hearing. Only the hearing officer may participate in the Agenda Conference at which the Commission decides whether to make changes to the proposed rules.

I also want to let you know that you can hear the Commission's discussion concerning this item by accessing the Commission's web page at the address below. Follow these links: Audio Video Access; Audio Access to PSC Events; 4/18/00 9:30 Commission Conference Tallahassee.

- AFA _____
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DOCUMENT NUMBER - DATE
04919 APR 2000

FPSC-RECORDS/REPORTING

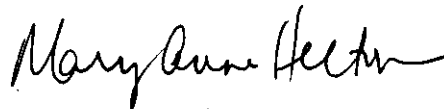
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Staff's recommendation to propose the amendments was item number three at this Agenda Conference.

Finally, I would like to make it clear that it is staff's opinion that "Code of Conduct" rules are outside the scope of this rulemaking docket. The Commission staff is now gathering information so that it can decide whether to recommend to the Commission that it adopt Code of Conduct rules.

You may call me at 413-6096 if you have any questions.

Sincerely,



Mary Anne Helton
Associate General Counsel

MAH

cc: Tim Devlin
Bob Elias
Craig Hewitt
Dale Mailhot
Jay Revell
Beth Salak
docket file

vaughnle.mah