

March 14, 2002

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-VIA HAND DELIVERY-

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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Re: Docket No. 001148-EI
Review of the Retail Rates of Florida Power & Light Company

Dear Ms. Bayó:

Enclosed for filing are the original and fifteen (15) copies of Florida Power & Light Company's Agreed Motion to Suspend Schedule for Hearings and Prehearing Procedures and to Suspend Discovery, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the document appears is Word 2000.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

Very truly yours,

for Elizabeth C. Daley
John T. Butler, P.A.

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Enclosure
cc: Counsel for Parties of Record (w/enclosures)

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the retail rates of)
Florida Power & Light)
Company.)
_____)

Docket No. 001148-EI
Dated: March 14, 2002

**FLORIDA POWER & LIGHT COMPANY'S
AGREED MOTION TO SUSPEND SCHEDULE FOR
HEARINGS AND PREHEARING PROCEDURES
AND TO SUSPEND DISCOVERY**

Florida Power & Light Company ("FPL") hereby moves to (i) suspend the schedule set forth in Order Nos. PSC-01-2111-PCO-EI, PSC-02-0089-PCO-EI, and PSC-02-0318-PCO-EI (the "Procedural Orders") for hearings and prehearing procedures and (ii) suspend discovery while the Commission reviews and rules upon the Joint Motion for Approval of Stipulation and Settlement that is being filed contemporaneously with this motion. The grounds for this motion are as follows:

1. The signatories to this docket have entered into a Stipulation and Settlement which, if approved by the Commission, will avoid the need for hearings in this docket and for the signatories to expend further resources preparing for same. Contemporaneously with the filing of this motion, all of the signatories have filed a joint motion for entry of a final order approving "the attached Stipulation and Settlement as full and complete resolution of all matters pending in this docket in accordance with Section 120.57(4), Florida Statutes (2001)."

2. Hearings in this docket are presently scheduled to commence in four weeks. Accordingly, the signatories are presently at a high level of prehearing activity, including preparing and pre-filing testimony, preparing and responding to written and deposition discovery,

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and preparing the lengthy prehearing statements required by the Procedural Orders. Unless the present schedule for hearings and prehearing procedures is suspended and discovery is suspended, the signatories have no choice but to continue that high level of activity (at significant cost to FPL's customers and to the intervenors), even though it will prove unnecessary if the Commission approves their Stipulation and Settlement.

3. All parties' interests will be best served by suspending the present schedule for hearings and prehearing procedures and suspending discovery, effective immediately. In the event that the Commission does not approve the Stipulation and Settlement, then FPL recommends that the prehearing officer convene a preliminary prehearing conference among the parties to set new hearing dates and reschedule the necessary prehearing procedures, and further recommends that the parties be permitted to resume discovery thereafter, with responses to all discovery requests outstanding as of the date that discovery was suspended (the "suspension date") to be due within the number of days in the twenty-day response period that remained on the suspension date.

4. FPL has contacted counsel for each of the other signatories, all of whom have confirmed that they concur with this motion.


WHEREFORE, FPL respectfully requests that the Commission suspend the present

schedule for hearings and prehearing procedures and suspend discovery on the terms set forth in this motion.

Respectfully submitted,

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By: 
John T. Butler, P.A.
Fla. Bar No. 283479

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by United States Mail this ~~17th~~ day of March, 2002, to the following:

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