

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Amendments to
Rule 25-17.0832, F.A.C., Firm
Capacity and Energy Contracts

) DOCKET NO. 001574-EQ
)
) FILED: APRIL 29, 2002

UNOPPOSED MOTION FOR CONTINUANCE

Lee County, Miami-Dade County, and Montenay-Dade, Ltd., collectively referred to herein as the "Movants," pursuant to Rule 28-106.204, Florida Administrative Code ("F.A.C."), hereby file this Unopposed Motion for Continuance of the hearing scheduled in this rulemaking docket. In summary, the Movants respectfully ask the Commission to continue the hearing in this docket to a date after October 15, 2002. In further support of their Motion, the Movants state as follow.

This docket was commenced on October 19, 2000. The Commission held workshops and published its Notice of Rulemaking on September 13, 2001. The Movants, along with other participants in the rulemaking process, timely requested that a hearing on the contemplated amendments to the Commission's Rules be held. Accordingly, on November 8, 2001, the Commission issued its order giving notice that a hearing would be held on May 15, 2002. The participants, and specifically the Movants' expert witness, Mr. Gerard C. Kordecki, proceeded to prepare for the hearing and scheduled other activities around the May 15, 2002,

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hearing date. Subsequently, the Commission changed the hearing date to May 23, 2002. This change resulted in a severe hardship on Mr. Kordecki, who had committed to be in another city on May 23. Counsel for the Movants attempted to identify another date close to May 23, but was unable to do so because of other scheduling conflicts.

Gulf Power Company's responsive comments submitted herein on April 1, 2002, requested that the Commission hold additional workshops on issues raised by the Movants' Petition to Initiate Rulemaking filed in Docket No. 020166-EQ, which has since been consolidated into this docket. The Movants have no objection to the Commission convening workshops as requested by Gulf Power Company.

In conversations with the other participants in this proceeding regarding rescheduling the hearing, one participant requested that the new hearing date be scheduled after October 15, 2002, because of intervening commitments of its personnel who would have primary responsibility for the participant's activities in the rulemaking docket. No participant opposes this request.

The undersigned has conferred with counsel for all of the participants in this docket, including Florida Power & Light Company, Florida Power Corporation, Gulf Power Company, Tampa Electric Company, the Solid Waste Authority of Palm Beach County, the City of Tampa, the Florida Industrial Cogeneration

Association, the Legal Environmental Assistance Foundation, and the Commission Staff, and is authorized to represent that none of the foregoing opposes the requested continuance.

RELIEF REQUESTED

WHEREFORE, for the reasons set forth above, Petitioners, Lee County, Miami-Dade County, and Montenay-Dade, Ltd., respectfully request the Florida Public Service Commission to GRANT this motion to continue the hearing scheduled in this docket to a date after October 15, 2002.

Respectfully submitted this 29th day of April, 2002.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by hand delivery (*), or by U.S. Mail, on this 29th day of April, 2002, to the following:

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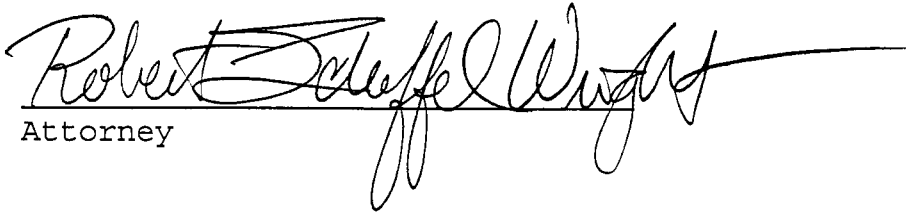
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