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October 11, 2002

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Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

Re: Docket Nos.: 020262-EI and 020263-EI

Dear Ms. Bayo:

On behalf of The Florida Partnership for Affordable Competitive Energy, enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Florida Partnership for Affordable Competitive Energy's Motion to Strike

Please acknowledge receipt of the above on the extra copy and return the stamped copy to me. Thank you for your assistance.

Sincerely,

Joseph A. McGlothlin

JAM
Enclosure

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power and Light
Company for a Determination of Need
For a power plant proposed to be located
In Martin County

Docket No. 020262-EI

In re: Petition of Florida Power and Light
Company for a Determination of Need
For a power plant proposed to be located
In Manatee County

Docket No. 020263-EI

Filed: October 11, 2002

**FLORIDA PARTNERSHIP FOR AFFORDABLE COMPETITIVE ENERGY'S
MOTION TO STRIKE**

The Florida Partnership for Affordable Competitive Energy (PACE), pursuant to rule 28-106.204, Florida Administrative Code, files this Motion to Strike from the transcript in this proceeding all references to Exhibit No. 9 and the contents thereof. As grounds therefore, PACE states:

1. At the hearing in this matter, Florida Power and Light Company (FPL) attempted to introduce into evidence Exhibit No. 9 which purported to show the impact on ratepayers if FPL constructed only one of the two units at issue in this proceeding. Objections of counsel to this exhibit were sustained because the calculations contained in the exhibit were not supported and Exhibit No. 9 was not admitted into the record of the proceeding. (Tr. 496).

2. Counsel for PACE also requested that since Exhibit No. 9 was not been admitted into evidence, references to the content of the exhibit be stricken. Counsel was instructed to identify the specific places in the transcript where such references occurred. (Tr. 1430-31).

3. The following portions of the transcript refer to Exhibit No. 9 and should be stricken because Exhibit No. 9 was not admitted into evidence in this proceeding and the matters referenced were unsupported:

pp. 474, l. 19 - p. 476, l. 12

p. 479, l.23 - p. 478, l. 1-7.

WHEREFORE, PACE moves that the above portions of the transcript in this case be stricken.



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Attorneys for Florida Partnership for Affordable
Competitive Energy

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Partnership for Affordable Competitive Energy's Motion to Strike was on this 11th day of October, served via (*) Hand delivery, (**) electronically and U.S. Mail to the following:

(*)(**)Martha Brown
Lawrence Harris
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Division of Legal Services
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