

ORIGINAL

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order denying the petition for declaratory statement filed by Florida Keys Electric Cooperative Association, Inc. on July 29, 2002. The final order was issued on October 23, 2002, denying the petition because a declaratory statement is not appropriate where there is no doubt or uncertainty concerning the applicability of statutory provisions, rules, or orders over which the agency has authority, and where the statement will not resolve any controversy. In addition, a proceeding is pending at the Division of Administrative Hearings that addresses the same subject; resolution of that proceeding would render the petition for declaratory statement moot; and the Commission does not have the evidence to make the legal decision that is requested without an evidentiary hearing. A copy of the order may be obtained at <http://www.psc.state.fl.us/> or by writing the Division of the Commission Clerk and Administrative Services 4075 Esplanade Way, Tallahassee, FL 32399-0862. DOCKET NO. 020829-EC.

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TALLAHASSEE, FLORIDA

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FPSC-COMMISSION CLERK