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 Subject: Docket 060635-EU

Attachments: Docket 060635 - Request for Oral Argument on Motion to Strike.pdf



Docket
 5 - Request for
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a. Person responsible for this electronic filing:

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b. Docket No. 060635-EU

In re: Petition To Determine Need For an Electrical Power Plant in Taylor County

c. Document being filed on behalf of Florida Municipal Power Agency, JEA, Reedy Creek Improvement District and City of Tallahassee

d. There are a total of 3 pages.

e. The document attached for electronic filing is Request for Oral Argument on Motion to Strike

Thank you for your cooperation.

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to Determine Need for
an Electrical Power Plant in Taylor
County by Florida Municipal Power
Agency, JEA, Reedy Creek
Improvement District and City of
Tallahassee

Docket No. 060635-EU

Dated: November 20, 2006

**REQUEST FOR ORAL ARGUMENT
ON MOTION TO STRIKE**

Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee ("Applicants"), by and through their undersigned attorneys, pursuant to Rule 25-22.058, Florida Administrative Code ("F.A.C."), hereby request the opportunity to present oral argument to the full Commission on their motion for an order striking several of the issues raised in the Petition to Intervene by Dianne V. Whitfield, Carole E. Taitt, and John Carl Whitton, Jr. (the "Whitton Petition"). In support, the Applicants state:

1. By motion filed on this same date, the Applicants moved the Commission for an order striking several of the issues raised in the Whitton Petition. As explained in the Motion, several of the issues raised in the Whitton Petition are outside the jurisdiction of this Commission. Furthermore, interjection of the new and unprecedented issues raised in the Whitton Petition into an already technical and complex proceeding would have limited, if any, probative value in resolving the critical issues in this proceeding and would generate unnecessary discovery disputes and confusion over the issues in this proceeding.

2. The Applicants believe that oral argument on the important matters raised in their Motion will assist the Commission in its deliberations by providing a more complete presentation of

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the matters at issue. Oral argument will also provide the Commission with the opportunity to request clarification of the arguments presented, as necessary.

WHEREFORE, the Applicants respectfully request that the Commission schedule oral argument before the full Commission on their motion to strike certain of the issues raised in the Whitton Petition in this proceeding.

Respectfully submitted this 20th day of November, 2006.

HOPPING GREEN & SAMS, P.A.

/s/ Gary V. Perko

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Applicants' Request for Oral Argument on the Applicants' Motion to Strike Certain Issues of Disputed Fact Raised in the Whitton Petition to Intervene in Docket No. 060635-EU was served upon the following by U.S. Mail and electronic mail(*) on this 20th day of November, 2006:

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