

IN THE SUPREME COURT  
STATE OF FLORIDA

In re: Petition by Florida Power Corporation for Declaratory Statement That Commission's Approval of Negotiated Contract for Purchase of Firm Capacity and Energy with Lake Cogen, LTD., In Order No. 24734, Together with Orders Nos. PSC-97-1437-FOF-EQ and 24989, PURPA, Florida Statute 366.051 and Rule 25-17.082, F.A.C., Establish That Energy Payments Thereunder, Including When Firm or As-Available Payment is due, are Limited to Analysis of Avoided Costs Based Upon Avoided Unit's Contractually Specified Characteristics.

CASE NO. 94,665

~~990509 EP~~

280509

FLORIDA POWER CORPORATION,

Petitioner/Appellant,

vs.

FLORIDA PUBLIC SERVICE COMMISSION,

Agency/Appellee;

LAKE COGEN, LTD.,

Intervenor/Appellee.

REQUEST TO TOLL TIME

Appellee, Lake Cogen, Ltd., requests a tolling of applicable time herein. Lake Cogen has filed a Motion to Consolidate Case Nos. 94,664 and 94,665. We do not yet know the position of opposing counsel on this Motion to Consolidate. Both Lake Cogen, Ltd. and Miami-Dade County and Montenay-Dade, Ltd. are also filing motions to supplement the record in this matter. Motions to Supplement the record have been furnished to opposing counsel

AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG \_\_\_\_\_  
MAS \_\_\_\_\_  
OPC \_\_\_\_\_  
RRR \_\_\_\_\_  
SEC \_\_\_\_\_  
WAW \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

05351 APR 26 88

FPSC-RECORDS/REPORTING

(James McGee, house counsel to Florida Power Corp.), but we have not yet been advised whether supplementation will be agreed to.

Due to the pendency of the Motion to Consolidate and the Motion to Supplement, we request a tolling of the time.

I HEREBY CERTIFY that a copy has been furnished to **ROBERT SCHEFFEL WRIGHT**, Landers & Parsons, 310 West College Avenue, Post Office Box 271, Tallahassee, Florida 32302; **JODI L. CORRIGAN**, **MARILYN E. CULP**, **LISBETH KIRK ROGERS**, Annis, Mitchell, Cockey, Edwards & Roehn, P.A., P.O. Box 3433, Tampa, Florida 33601; **DIRECTOR**, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32349-9850; **DAVID E. SMITH**, Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Third Floor, Gunter Building, Tallahassee, Florida 32399-0880; **JAMES D. WING**, 701 Brickell Avenue, 30th Floor, P.O. Box 15441, Miami, Florida 33101; **JOHN R. MARKS, III**, Knowles, Marks & Randolph, P.A., 215 South Monroe Street, Suite 130, Tallahassee, Florida 32301; **RODNEY GADDY**, **JAMES MCGEE**, Florida Power Corporation, Legal Department, P.O. Box 14042, St. Petersburg, Florida 33733; **SYLVIA H. WALBOLT**, **CHRIS C. COUTROULIS**, **ROBERT L. CIOTTI**, **JOSEPH H. LANG, JR.**, Carlton Fields, 200 Central Avenue, Suite 2300, St. Petersburg, Florida 33701; **GAIL P. FELS**, Assistant County Attorney, Dade County Aviation Department, P.O. Box 592075 AMF, Miami, Florida 33159; **ROBERT D. VANDIVER**, **RICHARD C. BELLAK**, Florida Public Service

Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850; this 23d day of April, 1999.



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