

One Energy Place  
Pensacola, Florida 32520

850.444.6111

RECEIVED  
FLORIDA PUBLIC  
SERVICE COMMISSION

99 JUL 20 AM 9:55  
MAIL ROOM



July 19, 1999

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0870

Dear Ms. Bayo:

RE: Docket No. 990250 EI

Enclosed for official filing are an original and fifteen copies of Gulf Power Company's Second Motion for Extension of Time for Serving Responsive Pleadings to Coaliton's Petition on Proposed Agency Action.

Also enclosed is a 3.5 inch double sided, high density diskette containing the Motioin in WordPerfect for Windows 8 format as prepared on a Windows NT based computer.

Sincerely,

Susan D. Ritenour  
Assistant Secretary and Assistant Treasurer

lw

Enclosures

cc: Beggs & Lane  
Jeffrey A. Stone, Esquire

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

DOCUMENT NUMBER-DATE

08611 JUL 20 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the earnings and )  
authorized return on equity of Gulf Power ) Docket No. 990250-EI  
Company. )  
\_\_\_\_\_ )

In re: Petition of Gulf Power Company for )  
approval of proposed plan for an incentive ) Docket No. 990244-EI  
revenue sharing mechanism that addresses )  
certain regulatory issues including a reduction ) Date filed: July 20, 1999  
to the Company's authorized return on equity. )  
\_\_\_\_\_ )

**GULF POWER COMPANY'S**  
**SECOND MOTION FOR EXTENSION OF TIME FOR**  
**SERVING RESPONSIVE PLEADINGS TO**  
**COALITION'S PETITION ON PROPOSED AGENCY ACTION**

Gulf Power Company ("Gulf Power", "Gulf", or "the Company"), by and through its undersigned counsel, hereby requests an additional extension of time in which to serve any pleadings in response to the Petition on Proposed Agency Action filed on June 14, 1999 by the Coalition for Equitable Rates ("Coalition"). In support of this motion, the Company states:

1. Pursuant to Rule 25-22.037, Florida Administrative Code, Gulf Power may file responsive pleadings to Coalition's Petition on Proposed Agency Action ("Coalition's Petition") within twenty (20) days of service of the petition. That period is extended five (5) additional days by operation of Rule 25-22.028(4), Florida Administrative Code. As a result, Gulf's opportunity to timely file responsive pleadings to Coalition's Petition originally ran until July 9, 1999. By motion filed July 6, 1999, Gulf Power requested an initial extension of time until July 21, 1999 to file any pleadings in response to the Petition on Proposed Agency Action. Gulf's motion was granted by the Prehearing Officer in Order No. PSC-99-1292-PCO-EI, issued July 7, 1999.

DOCUMENT NUMBER-DATE

08611 JUL 20 99


PSC-RECORDS/REPORTING

2. In an ongoing effort to resolve the issues raised in Coalition's Petition without the need for further litigation, representatives of Gulf Power and Coalition are still engaged in discussions. In the interest of administrative efficiency, the parties need additional time to determine whether an agreement can be reached that may allow this matter to be resolved without the need for responsive pleadings and further litigation. Towards that end, Gulf requests an additional extension of the deadline for filing responsive pleadings established by Rule 25-22.037 and Rule 25-22.028(4), Florida Administrative Code. Specifically, Gulf requests an additional extension of the deadline so that responsive pleadings served on or before August 4, 1999 shall still be considered timely.

3. Counsel for the Coalition has been consulted prior to filing this motion and has authorized Gulf Power to advise the Commission that Coalition agrees to the requested extension.

WHEREFORE, Gulf Power Company respectfully requests that the date for serving responsive pleadings to Coalition's Petition on Proposed Agency Action be extended so that such pleadings may be served on or before August 4, 1999.

Respectfully submitted this 19th day of July 1999.

  
**JEFFREY A. STONE**  
Florida Bar No. 325953  
**RUSSELL A BADDERS**  
Florida Bar No. 0007455  
**Beggs & Lane**  
P.O. Box 12950  
Pensacola, FL 32576-2950  
(850) 432-2451  
**Attorneys for Gulf Power Company**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the earnings )  
and authorized return on equity of )  
Gulf Power Company )  
\_\_\_\_\_ )

Docket No. 990250-EI

In re: Petition by Gulf Power Company )  
for approval of proposed plan for an )  
incentive revenue-sharing mechanism )  
that addresses certain regulatory issues )  
including a reduction to the company's )  
authorized return on equity )  
\_\_\_\_\_ )

Docket No. 990244-EI

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing has been furnished  
this 19<sup>th</sup> day of July 1999 by U.S. Mail or hand delivery to the following:

Robert Elias, Esquire  
Staff Counsel  
FL Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0863

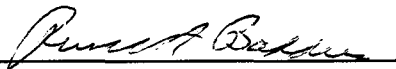
John W. McWhirter, Jr., Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, Decker, Kaufman,  
Arnold & Steen, P.A.  
P. O. Box 3350  
Tampa FL 33601-3350

Jack Shreve, Esquire  
Office of the Public Counsel  
111 W. Madison St., Suite 812  
Tallahassee FL 32399-1400

Richard Zambo, Esquire  
598 SW Hidden River Avenue  
Palm City FL 34990

Vicki G. Kaufman, Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, Decker, Kaufman,  
Arnold & Steen, P.A.  
117 S. Gadsden Street  
Tallahassee FL 32301

Ronald C. LaFace, Esquire  
Seann M. Frazier, Esquire  
Greenberg Traurig, P.A.  
101 East College Avenue  
P. O. Drawer 1838  
Tallahassee FL 32302

  
JEFFREY A. STONE  
Florida Bar No. 325953  
RUSSELL A. BADDERS  
Florida Bar No. 0007455  
Beggs & Lane  
P. O. Box 12950  
Pensacola FL 32576  
850 432-2451  
Attorneys for Gulf Power Company