

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Charles B. Curtis, Chairman;
Matthew Holden, Jr., and George R. Hall.

City of Homestead, Florida)
)
 v.) Docket No. EL78-28
)
 Florida Power & Light Company)

ORDER TERMINATING PROCEEDING

(Issued November 8, 1979)

On May 24, 1978, the City of Homestead, Florida, filed a complaint under various sections of the Federal Power Act alleging that Florida Power & Light Company (FP&L or Company) refused to continue providing wholesale electric service as required by the terms of FP&L's SR-1 wholesale tariff and certain contract commitments made to Homestead by the Company. The complainant requested an order directing FP&L to provide service under the SR-1 tariff and the Company's partial requirement (PR) rate schedule. This case has been held in abeyance pending the outcome of consolidated proceedings in Docket No. ER78-19 (Phase I) and ER78-81 which concerned, inter alia, FP&L's proposed termination of service to Homestead under the SR-1 tariff.

Throughout the course of proceedings in the related dockets, Homestead has continued to purchase wholesale power and energy from FP&L under the PR rate schedule. On August 3, 1979, we issued Opinion No. 57 which rejected the Company's notice of termination and directed FP&L to continue service to Homestead. In its application for rehearing of Opinion No. 57, FP&L has now informed us that it no longer contests Homestead's right to service under its tariff. Thus, the issues raised by Homestead in its complaint have been resolved and, accordingly, we shall terminate this proceeding.

The Commission Orders:

This complaint proceeding, initiated by the City of Homestead, Florida on May 24, 1979, is hereby terminated.

By the Commission.

Kenneth F. Plumb,
Secretary.

DC-A-11

Attachment 4

Florida Power & Light Company, FERC Docket No.
EL78-4, "Order Terminating Proceeding,
November 8, 1979