

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Requirement for investor-owned electric utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0859-CO-EI
ISSUED: October 13, 2006

CONSUMMATING ORDER

BY THE COMMISSION:

By Order No. PSC-06-0781-PAA-EI, issued September 19, 2006, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code.

Among other things, by that Order, we proposed to approve Florida Power & Light Company's (FPL) six-year average tree trimming cycle for its distribution laterals (six-year cycle), having found it to be reasonably consistent with the compliance options provided by Order No. PSC-06-0351-PAA-EI, issued April 25, 2006, in this docket,¹ and thus reasonable for initial implementation.²

On October 6, 2006, the City of North Miami (City) timely filed a protest to the portion of Order No. PSC-06-0781-PAA-EI that proposes to accept FPL's six-year cycle. The City contends that it has a substantial interest in the frequency of tree trimmings to be performed by FPL within its boundaries.³

The City's protest identifies with specificity the item being protested. The City protests only that portion of the Order relating to FPL's six-year cycle. Accordingly, the remainder of Order No. PSC-06-0781-PAA-EI can become final and effective, including but not limited to, the tree trimming cycles approved for Tampa Electric Company and Florida Public Utilities Company.

It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-06-0781-PAA-EI has become effective and final in all respects except for that portion of the Order

¹ Order No. PSC-06-0351-PAA-EI was consummated by Order No. PSC-06-0451-CO-EI, issued May 23, 2006, in this docket.

² See Order No. PSC-06-0781-PAA-EI at 4-5.

³ On September 12, 2006, the City passed Resolution R-2006-110, opposing FPL's proposed six-year cycle and urging this Commission to reconsider the proposal and reject it. A copy of that Resolution was filed in the docket on September 21, 2006.

DOCUMENT NUMBER-DATE

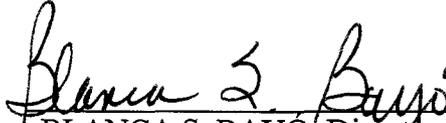
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FPSC-COMMISSION CLERK

relating to approval of Florida Power & Light Company's six-year average tree trimming cycle for its distribution laterals. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 13th day of October, 2006.



BLANCA S. BAYO, Director
Division of the Commission Clerk
and Administrative Services

(SEAL)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.