

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's  
Petition to Determine Need for FPL Glades  
Power Park Units 1 and 2 Electrical Power  
Plant

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DOCKET NO.: 070098-EI

**REQUEST FOR ORAL ARGUMENT**

Intervenors, The Sierra Club, Inc. (Sierra Club), Save Our Creeks (SOC), Florida Wildlife Federation (FWF), Environmental Confederation of Southwest Florida (ECOSWF), and Ellen Peterson (Intervenors), pursuant to Rule 25-22.022, Florida Administrative Code, hereby file their Request for Oral Argument on their Motion for Reconsideration and/or for Clarification of the Order Granting Petition for Intervention, Order No. PSC-07-0238-PCO-EI, issued on March 16, 2007, filed concurrently herewith, and state:

**I. INTRODUCTION**

1. On February 1, 2007 Florida Power & Light Company (FPL) filed a petition for determination of need for Glades Power Park Units 1 and 2 electrical power plants in Glades County. The matter has been scheduled for a formal administrative hearing on April 16-17, 2007. The Intervenors filed a Petition to Intervene on March 5, 2007. FPL filed a response to the petition on March 9, 2007. The Prehearing Officer issued an Order Granting Petition for Intervention on March 16, 2007 (the Order).

2. Although the Order granted intervention to Intervenors and found that they have standing in this docket, the Order found that the Intervenors do not have standing with regard to their assertion that their members will be directly affected by the cost of impacts of future carbon regulation, which would unnecessarily increase rates paid by them as customers of FPL. The

Order found that “such assessments are speculative and conjectural, rather than real and immediate in nature.” The Order further stated the decision to grant intervention “should not be construed to permit the Intervenors to raise arguments supporting their second...” assertion of standing. The Order referred to the Intervenors’ contention that they will be directly affected by the cost impacts of future carbon costs as their second assertion of standing. Intervenors filed a Motion for Reconsideration and/or for Clarification concurrently with this Request for Oral Argument.

3. Oral argument would aid the Commissioners or Prehearing Officer in understanding and evaluating the issues to be decided due to the inherent difficulty in applying the standards for reconsideration in this legal and factual context, the complex chronology of events, the highly technical nature of the issues, the complexity of the facts, and the level of difficulty and subtlety in the law of standing and scope of an intervenor’s right to participate and present evidence at the formal hearing of the case.

4. Intervenors request 20 minutes to present their arguments and an equal amount of time for each participating party.

Wherefore, Intervenors respectfully request that an order granting oral argument be entered with 20 minutes allocated to each participating party.

Respectfully submitted this 26<sup>th</sup> day of March 2007.

/s/ Michael Gross

Michael Gross  
Earthjustice  
111 S. Martin Luther King Jr. Blvd.  
Tallahassee, FL 32301  
(850) 681-0031  
FL Bar ID. 0199461  
Attorney for Petitioners

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on this 26<sup>th</sup> day of March, 2007, via electronic mail and US Mail on:

Florida Power & Light Company  
R. Wade Lichtfield  
Natalie F. Smith  
700 Universe Boulevard  
Juno Beach, FL 33408  
Email: Wade\_Litchfield@fpl.com  
Natalie\_Smith@fpl.com

Florida Power & Light Company  
Mr. Bill Walker  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859  
Email: bill\_walker@fpl.com

Black & Veatch  
Myron Rollins  
11401 Lamar Avenue  
Overland Park, KS 66211  
Email: rollinsmr@bv.com

Department of Community Affairs  
Shaw Stiller  
Division of Community Planning  
2555 Shumard Oak Blvd.  
Tallahassee, FL 32399-2100  
Email: shaw.stiller@dca.state.fl.us

Department of Environmental Protection  
Michael P. Halpin  
Siting Coordination Office  
2600 Blairstone Road MS 48  
Tallahassee, FL 32301  
Email: mike.halpin@dep.state.fl.us

Florida Public Service Commission  
Katherine E. Fleming, Esq.  
Jennifer Brubaker, Esq.  
Lorena Holley, Esq.  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Email: keflemin@psc.state.fl.us  
jbrubake@psc.state.fl.us  
lholley@psc.state.fl.us

Office of Public Counsel  
Charles J. Beck, Esq.  
Deputy Public Counsel  
c/o The Florida Legislature  
111 W. Madison St., Room 812  
Tallahassee, FL 32399-1400  
Email: beck.charles@leg.state.fl.us

/s/ Michael Gross

Attorney