

Administrative Parties ConsumerDOCUMENT NO. 09526-07

DISTRIBUTION: _____

Ann Cole

070650-EI

From: Ann Cole
Sent: Friday, February 19, 2010 11:02 AM
To: Andrew Lutostanski
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: FW: Add to Dockets 080677-EI and 070650-EI
Attachments: Saporito.ltr.2.13.2010.pdf; Saporito.Enclosure One.pdf; Saporito.Enclosure Two.pdf; Saporito.Enclosure Three.pdf; 2.19.2010 - Add to Docket 080677-EI.pdf

Thank you for this information.

The first four attachments have been printed and will be placed in *Correspondence - Parties and Interested Persons*, in Docket No. 070650-EI.

These attachments will also be filed and disseminated to all parties in Docket No. 080677-EI, as instructed in attachment five's February 19, 2010, memorandum.

From: Andrew Lutostanski
Sent: Friday, February 19, 2010 10:28 AM
To: Ann Cole
Subject: FW: Add to Dockets 080677-EI and 070650-EI

Please add the attached files to docket 080677-EI and distribute to all parties (Mr. Saporito is an interested party in that case); and please add the attached files to docket correspondence, parties and interested persons, for docket 070650-EI (Mr. Saporito does not appear to be an interested party in that case).

Authorization memo attached.

From: Carolyn Cannon
Sent: Friday, February 19, 2010 9:15 AM
To: Andrew Lutostanski
Subject:

From the Desk of Thomas Saporito

Post Office Box 8413, Jupiter, Florida 33468
Voice: 561-972-8363 Fax: 561-952-4810
Electronic Mail: saporito3@gmail.com

13 FEB 2010

Hon. Nancy Argenziano, Chairman
Lisa Polk Edgar, Commissioner
Nathan A. Skop, Commissioner
David E. Klement, Commissioner
Ben A. "Steve" Stevens III, Commissioner

Office of the Commission Clerk
2450 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

In re: Docket No. 080677-EI, Petition for increase in rates by Florida Power and Light Company; and Docket No. 070650-EI, Petition [to determine need for Turkey Point Nuclear Units 6 and 7 electrical power plant

Dear Chairman Argenziano and Commissioners:

By letter dated February 10, 2010, the undersigned duly notified the Florida Public Service Commission (FPSC) about the existence of two video recordings of which one of the video recordings evidences apparent misconduct by Horace Feliu (Feliu), the former mayor for the City of South Miami, Florida inasmuch as Feliu apparently and admittedly accepted funds from one or more employees of the Florida Power and Light Company (FPL) at the FPL Juno Beach, Florida corporate offices; and then later, Feliu supported FPL's project to build two nuclear power plants (Turkey Point Units 6&7) along with associated high-voltage transmission lines. Notably, the high-voltage transmission lines were planned by FPL to be constructed in the jurisdiction of the City of South Miami Florida.

The videos can be viewed on any computer system with Internet access at:

Video #1: <http://www.youtube.com/watch?v=6T1qTvq4x48>

Video #2: <http://www.youtube.com/watch?v=KoRoE76esOY>

The undersigned's February 10, 2010 letter to the FPSC was intended to call the Commission's attention to the fact that Feliu apparently and admittedly contacted FPL officials in support of the Turkey Point project and specifically the routing of the high-voltage

lines through or near the City of South Miami and subsequently accepted money from one or more FPL employees at the FPL Juno Beach, Florida corporate offices.¹

In the context of the undersigned's continuing investigation into this matter, additional evidence and relevant information has been discovered and is provided to the FPSC on the enclosed CD for consideration as follows:

1. January 9, 2008 testimony of Horace Feliu before the FPSC in Docket No. 070650-EI; and
2. October 15, 2009 Notice of Electronic Filing in Docket No. 070650-EI with July 21, 2009 City of South Miami, Florida Resolution No. 67-09-12876; and
3. February 19, 2008 video recording of a City of South Miami, Florida town hall meeting.

The Commission is first pointed to the January 9, 2008 testimony of Feliu in Docket No. 070650-EI.² In his testimony, Feliu states, in relevant part that:

". . . About two years ago I sponsored a Resolution in the City of South Miami . . . We requested from our county officials, our state legislators and our federal government to do their part in freeing ourselves from the use of fossil fuels and at the same time create a type of situation or incentives whereby we eliminate the greenhouse effects and carbon-based products that contaminate our environment. So this is right in line with exactly what we had in mind. . . FP&L has been an environmentally-friendly corporate neighbor to all of us, and I'm here just to speak on that and just basically let you know how we feel about it. . . I'm in favor of this product -- of this project."

COMMISSIONER ARGENZIANO: Same question, have you heard from the citizens of your city of South Miami?

MR. FELIU: "Basically when I found out about it it was in the paper. And we always have public discussions at the commission meetings, and no one has ever spoken against this project. . . "

However, in sharp contrast to Feliu's testimony before the

¹ See Enclosure-One include herewith.

² See enclosed CD and Enclosure-Two included herewith.

Commission shown above, and documented in the October 15, 2009 Notice of Electronic Filing³, on July 21, 2009, the City of South Miami Commissioners, including Feliu, unanimously voted in favor of Resolution No. 67-09-12876 which, amongst other things, expressly held:

". . . That the Mayor and City Commission does hereby state its opposition to the Ludiam trail route and the U.S. Highway 1 route for the proposed transmission line proposed by FPL, and propose the relocation of the FPL transmission lines along larger public highway rights-of-way, including, but not limited to SR 826, 836 and 874. . ."

Moreover, the Mayor and the entirety of the South Miami Commission directed the City Clerk to transmit a certified copy of Resolution No. 67-09-12876 to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Presiding Offices and Members of the municipalities in Miami-Dade county and the Executive Director of the Miami-League of Cities, and the Florida Department of Environmental Protection and FPL. *Id.* at p.2. The resolution was passed and adopted on April 6, 2009 and well after Feliu's testimony before the FPSC as shown above. Based on information and belief, the City of South Miami resolution was never sent to anyone or any entity as designated immediately above.

Finally, the FPSC is pointed to the February 19, 2008 video on the enclosed CD which can also be viewed on any computer system over the Internet at:

<http://www.youtube.com/watch?v=-gMD3Z7TKec>

This video is particularly disturbing and clearly shows apparent misconduct on the part of Feliu in suppressing the First Amendment Constitutional rights of citizens to express their views in a public forum before the City of South Miami. In particular, the citizen was quoting from the January 9, 2008 FPSC transcript record in Docket No. 070650-EI and specifically the testimony of Feliu. As can be seen on the video, Feliu interrupted the citizen and would not allow her to continue. I call the Commission's attention to Feliu's right hand during the video presentation. Notice the date stamp and time clock appearing during the citizen's testimony. Now, watch Feliu's right hand move from the top of the table to below the table at about (26:35) as shown on the time clock. It is at that point when the audio is cut-off so that the citizen's comments would not be recorded on the official video record of that meeting. It is highly suspected

³ See, enclosed CD and Enclosure-Three included herewith.

that Felui had the means to cut-off the audio speaker at the podium where the citizens speak. In any event, the demeanor of Felui during this particular public meeting significantly changed and became extremely hostile towards the citizen when Felui realized that the citizen was reading [his] testimony directly from the FPSC transcript record.

Finally, as the FPSC is fully aware, by letter dated January 20, 2010, employees at FPL's Juno Beach, Florida corporate offices authored a second letter to Lew Hay (Hay), the Chairman & Chief Executive Officer for FPL Group, Inc. in which the employees, amongst other things, allege wrongdoing on the part of FPL officials related to the recent FPL rate case in Docket No. 080677-EI. Thus, to the extent that the allegations contained in the two employee letters to Hay prove to be valid, then the FPSC should revisit its decision in Docket No. 080677-EI as the facts and testimony and records in that proceeding would clearly be called into question.

In closing, the undersigned respectfully requests that the FPSC act or act to cause an investigation into the matters identified herein in the interest of the rate payer of FPL and to protect the integrity of proceedings brought before the Commission.

Respectfully submitted,



Thomas Saporito, Exec. Dir.
RenewableElectricSystems.com
Post Office Box 8413
Jupiter, Florida 33468
Tel. (561) 972-8363

A copy of the foregoing document, including the enclosures except the CD, was provided to the following on this 13th day of February, 2010:

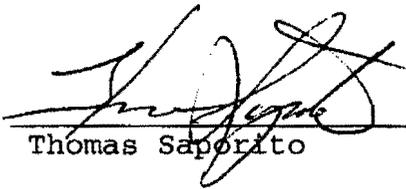
Governor Charlie Crist
Office of the Governor
The Capitol
400 S. Monroe St.
Tallahassee, Florida 32399-0001

J.R. Kelly, Esquire
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

Director Robert S. Muller, III
Federal Bureau of Investigation
J. Edgar Hoover Building
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535-0001

Florida Department of Law Enforcement
Criminal Investigations Division
P.O. Box 1489
Tallahassee, FL 32302-1489

By:


Thomas Saporito

Enclosure-One

From the Desk of Thomas Saporito

Post Office Box 8413, Jupiter, Florida 33468
Voice: 561-972-8363 Fax: 561-952-4810
Electronic Mail: saporito3@gmail.com

10 FEB 2010

Hon. Nancy Argenziano, Chairman
Hon. Ben A. Stevens III, Commissioner
Hon. Lisa Polack Edgar, Commissioner
Hon. Nathan A. Skop, Commissioner
Hon. David E. Klement, Commissioner

In re: Docket 080667-EI, Florida Power and Light Company Rate Case

Dear Chairman Argenziano and Commissioners:

Enclosed herewith, please find a CD containing two video files which can be viewed on a Microsoft Windows based computer system.

In the alternative, these same two video files can be viewed on the Internet with any computer system at the following ULR's:

Video #1: <http://www.youtube.com/watch?v=6T1qTvq4X48>

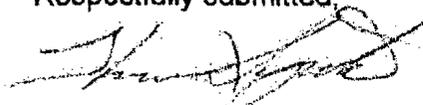
Video #2: <http://www.youtube.com/watch?v=KoRoE76esOY>

This material is being provided to the Florida Public Service Commission to make certain that the "Commission" is fully aware and informed about the apparent misconduct and behavior of an elected city official who received unsolicited funds from individuals associated with the Florida Power and Light Company (FPL) and testified before the Commission as a representative of the people who the elected official served about matters related to FPL.

To the extent that the former Mayor of South Miami Florida may have provided the Commission with false testimony as apparently reflected in Video #1, the undersigned respectfully requests that the Commission formally request that the Florida Attorney General conduct an investigation.

To the extent that one or more FPL executives and/or employees from FPL's Juno Beach office may have given money to the former South Florida Mayor in an attempt to influence [his] testimony before the Commission as related to FPL, the undersigned respectfully requests that the Commission make inquiry of FPL accordingly.

Respectfully submitted,



Thomas Saporito

Enclosure-Two

<several pages later...>
FLORIDA PUBLIC SERVICE COMMISSION

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1 CHAIRMAN CARTER: Next we'll ask Horace Feliu, the
2 Mayor of South Miami. And please forgive me if I mispronounce
3 your name. It wasn't my pronouncing. It was the writing that
4 I saw before.

5 MR. FELIU: You were very close. It's Feliu.

6 Thank you, Mr. Chair and esteemed Commissioners.

7 Thank you for coming down here and taking time from your busy
8 schedules to listen to the public.

9 About two years ago I sponsored a Resolution in the
10 City of South Miami, which basically is the Freedom From Fossil
11 Fuels Acts. We requested from our county officials, our state
12 legislators and our federal government to do their part in
13 freeing ourselves from the use of fossil fuels and at the same
14 time create a type of situation or incentives whereby we
15 eliminate the greenhouse effects and carbon-based products that
16 contaminate our environment. So this is right in line with
17 exactly what we had in mind. We know it's a clean energy
18 source. FP&L has been an environmentally-friendly corporate
19 neighbor to all of us, and I'm here just to speak on that and
20 just basically let you know how we feel about it.

21 We realize that there's issues regarding the use of
22 water and everything else, but that is being addressed. FP&L
23 has done their homework. I've listened carefully to their
24 presentation at the county level, which was passed pretty much
25 unanimously, and I'm in favor of this product -- of this

FLORIDA PUBLIC SERVICE COMMISSION

34

1 project. Thank you.

2 CHAIRMAN CARTER: Thank you. One moment, please.

3 Commissioner Argenziano.

4 COMMISSIONER ARGENZIANO: Same question, have you
5 heard from the citizens of your city of South Miami?

6 MR. FELIU: Basically when I found out about it it
7 was in the paper. And we always have public discussions at the
8 commission meetings, and no one has ever spoken against this
9 project. And we're very close to that Turkey Point location.

10 We're in South Miami.

11 COMMISSIONER ARGENZIANO: Thank you.

12 MR. FELIU: You're welcome.

Enclosure-Three

070650 - EI

Ruth Nettles

From: Thomas Saporito [saporito3@gmail.com]
Sent: Thursday, October 15, 2009 3:32 PM
To: Filings@psc.state.fl.us
Cc: Kelly.jr@leg.state.fl.us
Subject: Notice of Electronic Filing in Docket No. 070650-EI
Attachments: 2009-04-07 City of Miami Resolution 67-09-12876.pdf

Electronic Filing on this 15th day of October, 2009.

a. Person responsible for this electronic filing:

Thomas Saporito
Post Office Box 8413
Jupiter, Florida 33468-8413
Tel: 561-247-6404

b. Docket No. 070650-EI

c. in the Matter of: Petition to Determine Need for Turkey Point Nuclear Units 6 and 7 Electrical Power Plant, by Florida Power & Light Company

d. Document being filed on behalf of Thomas Saporito.

e. There is a total of 4 pages.

f. The document attached for electronic filing -- City of South Miami -- April 7, 2009 Resolution No. 67-09-12876

Thank you for your attention and cooperation to this request.

Thomas Saporito
Post Office Box 8413
Jupiter, Florida 33468-8413
Tel: 561-247-6404

--
Thomas Saporito
Post Office Box 8413
Jupiter, Florida 33468-8413
Voice: (561) 247-6404
Fax: (561) 952-4810
Email: saporito3@gmail.com
Web: <http://SaporitoEnergyConsultants.com>

DOCUMENT NUMBER DATE
106010010910
FPSC-COMMISSION CLERK



MEMORANDUM

Agenda Item 15(B)4

TO: Honorable Chairman Dennis C. Moss, and
Members, Board of County Commissioners

DATE: July 21, 2009

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

SUBJECT: Resolution No. 67-09-12876
City of South Miami, Florida

Diane Collins, Acting Division Chief
Clerk of the Board Division

Diane Collins

Attached for your information is a copy of Resolution No. 67-09-12876 of the Mayor and City Commission of the City of South Miami, Florida, relating to opposing the proposed routes along the Ludlum Trail or along US Highway 1, for the FPL Transmission Line; and proposing the evaluation of an alternate route along SR 826, SR 836 or SR 874; providing for transmittal to the State, agencies, and other communities; providing an effective date.

DC/fcd
Attachments

DOCUMENT NUMBER-DATE

10601 OCT 15 8

FPSC-COMMISSION CLERK

RESOLUTION NO. 97-09-12874

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, RELATING TO OPPOSING THE PROPOSED ROUTES ALONG THE LUDLUM TRAIL OR ALONG US HIGHWAY 1, FOR THE PFL TRANSMISSION LINE AND PROPOSING THE EVALUATION OF AN ALTERNATE ROUTE ALONG SR 826, SR 836 OR SR 874; PROVIDING FOR TRANSMITTAL TO THE STATE, AGENCIES, AND OTHER COMMUNITIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Power and Light (FPL) is considering the construction of a transmission line in order to increase capacity and connect the turkey point power station to downtown Miami and police North; and,

WHEREAS, one proposed PFL route is along US Highway 1 and a second potential route is the indicated corridor along the Ludlum Trail through the City of South Miami; and,

WHEREAS, the Ludlum Trail proposed route runs adjacent to and in close proximity to established residential neighborhoods and two existing schools; and,

WHEREAS, the proposed US Highway 1 route runs adjacent to and in close proximity to an established residential neighborhood, hospitals, schools and other occupied commercial buildings; and,

WHEREAS, locating transmission lines through densely populated areas imposes an unreasonable burden on the affected community due to exposure to EMF, audible noise, visual impact and danger of collapsed lines; and,

WHEREAS, the siting of electric transmission power lines along public highway right-of-ways and other corridors with relatively small right-of-ways poses significant health and safety concerns; and,

WHEREAS, the siting of electric transmission power lines along public highway right-of-ways with larger buffers and wider right-of-ways such as State Road 826, State Road 836, and State Road 874 for example, minimizes impacts on residential communities, businesses, hospitals and schools; and,

Additions shown by underlining and deletions shown by overlining.

2

DOCUMENT NUMBER-DATE

10601 OCT 15 8

FPSC-COMMISSION OFFICE

WHEREAS, the Mayor and City Commission seek to lobby the State Legislature relating to same.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA:

Section 1. That the Mayor and City Commission does hereby state its opposition to the Ludlum Trail route and the U.S. Highway 1 route for the proposed transmission line proposed by FPL, and propose the relocation of the FPL transmission lines along larger public highway rights-of-way, including, but not limited to SR 826, 836 and 874.

Section 2. In the event that one of the routes through the City of South Miami is ultimately selected that the Mayor and Commission formally request FPL to place the transmission lines running through the City under ground to reduce the adverse impacts of electric magnetic fields on the citizens and visitors to South Miami.

Section 3. The Mayor and City Commission encourage FPL to work with the Department of Transportation to identify transmission line routes that minimize exposure to population centers.

Section 4. The Mayor and City Commission directs the City Clerk to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Presiding Officer and Members of the municipalities in Miami-Dade County and the Executive Director of the Miami-League of Cities, and the Florida Department of Environmental Protection and PPL.

Section 5. This resolution shall take effect immediately upon approval.

PASSED AND ADOPTED this 7th day of April, 2009.

ATTEST:

[Signature]
CITY CLERK

APPROVED:

[Signature]
MAYOR

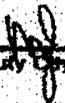
READ AND APPROVED AS TO FORM:

[Signature]
Luis R. Figueroa,
Office of City Attorney

COMMISSION VOTE:	5-0
Mayor Peltz:	Yea
Vice Mayor Bensley:	Yea
Commissioner Palmer:	Yea
Commissioner Beckman:	Yea
Commissioner Newsome:	Yea

CERTIFICATION

Nikki Payne, Deputy Clerk with
the City of South Miami, Miami-Dade
County, Florida, do hereby certify this
document to be a true and correct
copy of
Resolution No. 67-09-12076
dated April 7, 2009, according to
the records of the City of South
Miami, Florida. Given my hand
and the official Seal of the City
of South Miami, Florida this 7th day
of April, AD 2009.


Deputy City Clerk

PARTIES**Matilda Sanders**

From: Matilda Sanders
Sent: Monday, January 07, 2008 9:51 AM
To: 'Noah Warman'
Subject: RE: Docket 070650 - Notice and Filings

DOCUMENT NO. DATE
 09526-07 10/18/07
 FPSC - COMMISSION CLERK

Good morning Mr. Warman.

Per this email, and the previous one you sent Friday, 01/04/08, we have added you to the mailing list as an interested person. You will receive all notices (including Agenda notice), PAA Orders, and the Final Order. You can monitor the docket by going to our website www.floridapsc.com under Dockets and Filings. Enter the docket number, and go to Document Index Listings. You will be able to review or download all documents filed in this docket. Please let me know if we can be of further help.

Thank you for contacting the Florida Public Service Commission.

Matilda Sanders
 Office of Commission Clerk
 850-413-6770

RECEIVED-FPSC
 08 JAN -7 AM 9:53
 COMMISSION
 CLERK

From: Noah Warman [mailto:NWarman@sugarmansusskind.com]
Sent: Friday, January 04, 2008 4:22 PM
To: Records Clerk
Subject: Docket 070650 - Notice and Filings

To the Clerk:

Earlier this afternoon I sent an e-mail regarding being added to the list as an interested party for Docket 070650, "Petition to determine need for Turkey Point Nuclear Units 6 and 7 electrical power plant, by Florida Power & Light Company." I would like to note that this is in reference to our firm's representation of System Council U-4 of the International Brotherhood of Electrical Workers.

I would greatly appreciate it if you would add the following individuals as well to the list of interested parties:

Robert A. Sugarman, Esq.
 Sugarman & Susskind, P.A.
 100 Miracle Mile Suite 300
 Coral Gables, Florida 33134
 305-529-2801 - phone
 305-447-8115 - fax
 Email: rsugarman@sugarmansusskind.com

Gary Aleknavich
 Business Manager

1/7/2008

System Council U-4
International Brotherhood of Electrical Workers
3944 Florida Blvd. Suite 202
Palm Beach Gardens, Florida 33410
Phone: (561) 624-2700
Fax: (561) 624-5072
Email: Garyscu4@aol.com

Kenneth Sims
Senior Assistant Business Manager
System Council U-4
International Brotherhood of Electrical Workers
3944 Florida Blvd. Suite 202
Palm Beach Gardens, Florida 33410
Phone: (561) 624-2700
Fax: (561) 624-5072
Email: kennyscu4@aol.com

Thank you in advance for your assistance in this matter.

Noah Scott Warman
Sugarman & Susskind, P.A.
100 Miracle Mile Suite 300
Coral Gables, Florida 33134
305-529-2801 - phone
305-447-8115 - fax
nwarman@sugarmansusskind.com

PARTIES**Matilda Sanders**

From: Noah Warman [NWarman@sugarmansusskind.com]
Sent: Friday, January 04, 2008 3:19 PM
To: Records Clerk
Subject: Docket 070650 - Notice and Filings

DOCUMENT NO. DATE

09526-07 10/18/07
FPSC - COMMISSION CLERK

To the Clerk:

I would like to be added to the list as an interested party for Docket 070650, "Petition to determine need for Turkey Point Nuclear Units 6 and 7 electrical power plant, by Florida Power & Light Company."

My contact information follows. Thank you in advance for your assistance in this matter.

Noah Scott Warman
Sugarman & Susskind, P.A.
100 Miracle Mile Suite 300
Coral Gables, Florida 33134
305-529-2801 - phone
305-447-8115 - fax
nwarman@sugarmansusskind.com

Kimberley Pena

From: Kimberley Pena
Sent: Thursday, January 03, 2008 8:39 AM
To: 'Kee, Ed'
Subject: RE: Docket Mailing Lists

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09526-07		
DISTRIBUTION		

Per this e-mail, we will add you to the below mentioned dockets as an Interested Person.

Thank you for contacting the Florida Public Service Commission.

Kimberley M. Peña
Chief Deputy Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

From: Kee, Ed [mailto:ekee@crai.com]
Sent: Wednesday, January 02, 2008 4:48 PM
To: Records Clerk
Subject: Docket Mailing Lists

Please add me to the Docket Mailing Lists for dockets:

070672 - EI

070650 - EI

070602 - EI

My information is:

Edward Kee

CRA International
1201 F Street, NW
Washington, DC 20004

+1 202 662-3910 fax

ekee@crai.com

Regards,
Ed

Edward Kee
Vice President

+1 202 662 3953 direct
+1 202 492 4007 mobile
ekee@crai.com

1/3/2008

www.crai.com

CRA International
1201 F Street, NW
Washington, DC 20004

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Kimberley Pena

From: Kimberley Pena
Sent: Thursday, January 03, 2008 8:39 AM
To: 'Kee, Ed'
Subject: RE: Docket Mailing Lists

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09526-07		
DISTRIBUTION		

Per this e-mail, we will add you to the below mentioned dockets as an Interested Person.

Thank you for contacting the Florida Public Service Commission.

Kimberley M. Peña
Chief Deputy Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

From: Kee, Ed [mailto:ekee@crai.com]
Sent: Wednesday, January 02, 2008 4:48 PM
To: Records Clerk
Subject: Docket Mailing Lists

Please add me to the Docket Mailing Lists for dockets:

070672 - EI

070650 - EI

070602 - EI

My information is:

Edward Kee

CRA International
1201 F Street, NW
Washington, DC 20004

+1 202 662-3910 fax

ekee@crai.com

Regards,
Ed

Edward Kee
Vice President

+1 202 662 3953 direct
+1 202 492 4007 mobile
ekee@crai.com

1/3/2008

www.crai.com

CRA International
1201 F Street, NW
Washington, DC 20004

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Kimberley Pena

070650

From: Kimberley Pena
Sent: Monday, December 31, 2007 3:13 PM
To: 'DAVIS.PHYLLIS'
Subject: RE: Name substitution

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09526-07		
DISTRIBUTION: _____		

Per this e-mail, we will make the change in all active docket. Thank you.

Kimberley M. Peña
Chief Deputy Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

From: DAVIS.PHYLLIS [mailto:DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Monday, December 31, 2007 1:45 PM
To: Records Clerk
Subject: Name substitution

PSC Clerk:

Please substitute Charlie Beck's name with J. R. Kelly. Mr. Kelly was appointed Public Counsel on November 20, 2007. Please contact me at 488-9330 if you have questions.

Thanks,
Phyllis W. Philip-Guide

12/31/2007

BEFORE THE PUBLIC SERVICE COMMISSION

DISTRIBUTION CENTER

In re: Florida Power and Light Company's
Petition to Determine Need for Florida
Power and Light Company's
Turkey Point Nuclear Units 6 and 7
Electrical Power Plant

DOCKET NO.: 070650-E1 AM 7:49

Filed December 3, 2007

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09526-07		
DISTRIBUTION: _____		

PETITION TO INTERVENE

07 DEC 10 AM 9:26
RECEIVED-FPSC
COMMISSION
CLERK

Petitioners Jan M. Krasowski and/or Bob Krasowski, pursuant to Rule 25-22.039,

Florida Administrative Code hereby file this petition to intervene in this docket and state:

A. AGENCY AFFECTED

1. Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

B. IDENTIFICATION OF THE PETITIONERS....

2. Jan M. Krasowski
1086 Michigan Avenue
Naples, Florida 34103-3857
239-434-0786

3. Bob Krasowski
1086 Michigan Avenue
Naples, Florida 34103-3857
239-434-0786 H
239-963-6285 C
Minimushomines@aol.com

- JMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____

4. Bob Krasowski will be representing Jan and himself and is authorized to receive all notices, pleadings and other communications in this docket.

OTH FILED ON 12/3/07
DN 16655-07

...AND HOW PETITIONERS SUBSTANTIAL INTERESTS ARE AFFECTED

5. Both Jan and Bob Krasowski are customers of Florida Power and Light.

6. Both Jan and Bob Krasowski have been active over the past twenty five years with their efforts to address the issue of resource protection, management and efficiency. These efforts have been local to Collier County Florida, regional to Southwest Florida and State-wide through Tallahassee. Energy policy strategies and environmental issues relevant to energy policy and practice have been at the core of their activities. To the extent that the proposed Turkey Point Nuclear Units 6 and 7 affects local, regional or state energy policy and rates for electrical power, the interests of Jan and Bob Krasowski are affected.

C. RECEIPT OF NOTICE OF AGENCY'S PROPOSED ACTION

7. Petitioners received notice of the Public Service Commission's action through The Public Service Commission's website when FP&L petitioned for a Need Determination.

D. DISPUTED ISSUES OF MATERIAL FACT

8. We dispute the need for the proposed Florida Power and Light (FPL) Turkey Point Nuclear Units 6 and 7, taking into account the need for electric system reliability and integrity, as this criterion is used in Section 403.519, 403.519(b), Florida Statutes.

9. We dispute the need for the proposed generating units taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in Section 403.519, 403.519(b), Florida Statutes.
10. We dispute need for the proposed generating units, taking into account the need for fuel diversity and supply reliability, as this criterion is used in Section 403.519, 403.519(b)Florida Statutes.
11. We believe there are conservation measures that can be taken by or reasonably available to FPL company which might mitigate the need for the proposed generating units.
12. We dispute that the proposed generating units are the most cost effective alternative available, as this criterion is used in Section 403.519, 403.519(b), Florida Statutes.
13. We dispute whether an adequate and comprehensive representation of all costs, including but not limited to the cost of waste storage and disposal, is included in the project proposal.
14. We dispute the population projections upon which the need for this proposed facility is based.

E. CONSCISE STATEMENT OF ULTIMATE FACTS ALLEGED

15. The costs ascribed to this proposal by the applicant are insufficient in terms of identifying the true cost of the project.
16. The limited costs ascribed to this proposal by the applicant skews the outcome of a comparative analysis between this proposal and other courses of action available.

17. The permitting of this project would be contrary to the historical behavior of the Florida Public Service Commission as it has, in the past, protected the viability of the State's power needs while protecting the interests and safety of the residents and rate payers of the State.
18. Under rule 25-6.0423, FAC, Nuclear Power Plant Cost Recovery the public's responsibilities and obligations have been increased without appropriate compensation.
19. The long time effects and risks associated with this proposed nuclear technology calls into question the appropriateness, prudence of its' use and whether or not it is responsible for our generation or others to be using it.

F. STATUTES AND RULES THAT REQUIRE RELIEF REQUESTED

20. Statutes and rules referenced for relief requested include but are not limited to, Chapter 120, sections 403.519 and 366.80-366.93 Florida Statutes and Rules 25-22.039, 25-22.080 and 25-22.081, Florida Administrative Code.
21. Rule 25-22.039 FAC provides for intervention- this rule relates to information given as to our standing as intervenors.
22. The Florida Energy Efficiency and Conservation Act, sections 366.80-366.85 and 403.519 Florida Statutes, provides the Commission with jurisdiction over needs determinations...- this rule relates to the Commission's role in hearing and considering our issues, positions and requested resolutions.

23. Section 403.519 (3) provides for the guidelines the Commission must take into account in making its needs determination....-this rule sets the standards in criteria of the Commission's determination of need and our positions regarding the ultimate facts as they pertain to the assessment of potential injury to the intervenors.

24. Our rights and interests as intervenors can not adequately be represented by any other party in this docket.

G. RELIEF SOUGHT BY PETITIONER

26. We the undersigned, Jan and Bob Krasowski, request that the Commission accept our petition and accept us as intervenors in this docket.

Respectfully submitted this 3rd day of December, 2007

s/Bob Krasowski

Bob Krasowski
1086 Michigan Avenue
Naples, Florida 34103-3857

s/Jan M. Krasowski

Jan M. Krasowski
1086 Michigan Avenue
Naples, Florida 34103-3857

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Bob and/or Jan M. Krasowski Notice of Intervention has been furnished by electronic mail and U.S. Mail to the following parties on this 3rd day of December, 2007, to the following:

R. Wade Litchfield
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

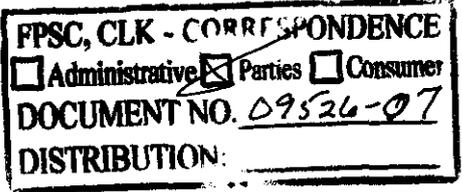
Katherine Fleming
Jennifer Brubaker
Caroline Klancke
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Stephen Huntoon
Florida Power & Light Company
801 Pennsylvania Avenue, Suite 220
Washington, D.C. 20004

Office of Public Counsel
Charles Beck
c/o The Florida Legislature
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Matilda Sanders

From: Matilda Sanders
Sent: Thursday, December 06, 2007 3:25 PM
To: 'Dawn Shirreffs'
Subject: RE: Mailing list & Notices Docket 070650





FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO.	09526-07	
DISTRIBUTION:	GCL, ECR	

RECEIVED-FPSC
 07 NOV 15 PM 12:31
 COMMISSION
 CLERK

November 15, 2007

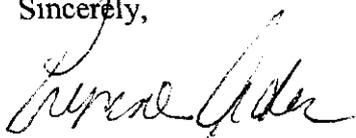
Ms. Ann Cole, Commission Clerk
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, Florida 32399

Re: Docket No. 070650-EI Florida Power & Light Company's Petition to Determine
 Need for Turkey Point Units 6 and 7 Electrical Power Plants

Dear Ms. Cole:

Enclosed please find Florida Power & Light Company's response to Seminole Electric's letter dated October 26, 2007 to Florida Power & Light Company. The Seminole Electric letter appears as part of Document No. 09526-07 in the docket file for the above-referenced docket. The docket entry states that "subsequent correspondence from parties will be appended to this document." Accordingly, I ask that you append the enclosed FPL response to Document No. 09526-07.

Please feel free to contact me at 521-3904 if you have any questions.

Sincerely,

 Lynne Adams

Enclosure



Florida Power & Light Company, 700 Universe Blvd, Juno Beach, FL 33408

November 8, 2007

Timothy S. Woodbury
Executive Vice President
and General Manager
Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Re: Docket No. 070650-EI

In re: Florida Power & Light Company's Petition to Determine Need for Turkey Point Units 6 and 7 Nuclear-Fueled Electrical Power

Dear Mr. Woodbury:

Mr. Litchfield has referred your letter dated October 26, 2007 to me for a response. As you know, Florida Power & Light Company ("FPL") has initiated a process that is intended to culminate in the construction of two new nuclear units at Turkey Point. Although we have discussed the possibility of third-party ownership interest in some portion of one or both units or their output, I am sure you understand that our focus at this time must remain on obtaining the requisite regulatory approvals and moving forward with the significant siting and preconstruction activities.

We appreciate your willingness to discuss Seminole Electric's interest in exploring the possibility of some form of partnership or ownership participation. However, we feel that such discussions would be premature until we are much further down the road on this project. This will allow the necessary time to resolve many of the regulatory issues facing the project and further clarify commercial parameters and project schedules.

Sincerely,

A handwritten signature in cursive script that reads "Steven D. Scroggs".

Steven D. Scroggs
Senior Director, Project Development
Florida Power & Light Company



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07 OCT 29 AM 7:43

DELIVERED VIA FEDERAL EXPRESS

October 26, 2007

FPSC, CLR - CORRESPONDENCE	
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09526-07</u>	
DISTRIBUTION:	

RECEIVED-FPSC
07 OCT 29 AM 10:38
COMMISSION CLERK

Mr. R. Wade Litchfield
Vice President
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

Re: FPSC Docket No. 070650-EI

Dear Mr. Litchfield:

I have read with interest Florida Power & Light Company's petition for a need determination regarding Turkey Point nuclear units 6 and 7 filed with the Florida Public Service Commission on October 16, 2007 in the above-referenced proceeding. At paragraph 63 of the filing, FPL states that it has held preliminary discussions with several Florida utilities regarding the potential for ownership participation by them and will continue to explore partnership opportunities with Florida utilities.

Seminole was not one of those Florida utilities that was contacted by FPL, so I am taking this opportunity to note for the record our interest in an ownership share of Turkey Point units 6 and 7 in the amount of 400 MW (with half attributable to each unit). Seminole would be pleased to discuss this matter with you at your earliest convenience.

Please contact me or Mr. Mike Opalinski, Seminole's Senior V.P. of Strategic Services, with any questions regarding this letter or our request. Thank you in advance for your consideration of this matter.

Very truly yours,

Timothy S. Woodbury
Executive Vice President
and General Manager

cc: Ann Cole (FPSC)
Mal Green (SECI)
Mike Opalinski (SECI)
Armando Olivera (FPL)

DOCUMENT NO. DATE
09526-07 10/29/07
FPSC - COMMISSION CLERK

Marguerite Lockard

From: Marguerite Lockard
Sent: Monday, October 29, 2007 4:35 PM
To: Katherine Fleming
Cc: Shevie Brown; Kimberley Pena
Subject: RE: 070650-EI - FW: Document (5).pdf

Ok, will do..thanks....

-----Original Message-----

From: Katherine Fleming
Sent: Monday, October 29, 2007 4:23 PM
To: Marguerite Lockard
Cc: Shevie Brown; Kimberley Pena
Subject: RE: 070650-EI - FW: Document (5).pdf

This can be placed in the correspondence side of the docket file.

-----Original Message-----

From: Marguerite Lockard
Sent: Monday, October 29, 2007 4:18 PM
To: Katherine Fleming
Cc: Shevie Brown; Kimberley Pena
Subject: 070650-EI - FW: Document (5).pdf

Katherine,

The clerk's office received a letter from Timothy Woodbury with Seminole Electric Cooperative, Inc. today (see attachment to e-mail). Should this letter be document numbered and made part of the official record, placed in the correspondence side of the docket file, or should something else be done with this pleading ?

Marguerite

-----Original Message-----

From: Cathi Lindsley
Sent: Monday, October 29, 2007 3:49 PM
To: Marguerite Lockard
Subject: Document (5).pdf

Document (5).pdf

Ruth Nettles

From: Ruth Nettles
Sent: Tuesday, October 30, 2007 9:00 AM
To: Katherine Fleming
Subject: RE: 070650/Seminole Electric's Correspondence received 10/29/07

Exactly. I will place them in the docket mailing list as interested persons.

From: Katherine Fleming
Sent: Tuesday, October 30, 2007 8:52 AM
To: Ruth Nettles
Subject: RE: 070650/Seminole Electric's Correspondence received 10/29/07

You can add them as an interested person, but they are not a party because they have not intervened in the docket.

From: Ruth Nettles
Sent: Tuesday, October 30, 2007 8:51 AM
To: Katherine Fleming
Subject: 070650/Seminole Electric's Correspondence received 10/29/07

Katherine, good morning,

I'm just following up on whether or not you'd like for Seminole Electric to be added to the docket mailing list as interested person?

Ruth

Kimberley Pena

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>09526-07</u>		
DISTRIBUTION: _____		

From: Kimberley Pena
Sent: Wednesday, October 24, 2007 12:35 PM
To: 'Siebuhr, Bernice'
Subject: RE: Request to be added to the interested parties list for Docket No. 070650-EI

Per this e-mail, we will add you to the mailing list of Dkt. 070650-EI as an Interested Person.

Thank you for contacting the Florida Public Service Commission.

Kimberley M. Peña
 Chief Deputy Commission Clerk
 Office of Commission Clerk
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, FL 32399-0850
 (850) 413-6770

From: Siebuhr, Bernice [mailto:BSiebuhr@rwbeck.com]
Sent: Wednesday, October 24, 2007 11:17 AM
To: Records Clerk
Subject: Request to be added to the interested parties list for Docket No. 070650-EI

Florida Public Service Commission
 Office of Commission Clerk
 2540 Shumard Oak Boulevard
 Tallahassee Florida 32399-0850

October 24, 2007

Ann Cole, Commission Clerk:

I would like to be registered in the Docket No 070650-EI Interested Parties Category List to receive copies of notices (all notices/electrical), orders, and whatever else you can send in this case.

My name is Bernice Siebuhr
 1000 Legion Place
 Suite 1100
 Orlando, Florida 32801
 Phone: 407-422-4911
 Fax: 407-648-8382
bsiebuhr@rwbeck.com

The docket I'm interested in is: Docket No 070650-EI – FPL's Petition to Determine Need for Turkey Point Nuclear Units 6 & 7 Electrical Power Plant

Thank you,

Bernice Siebuhr
Senior Analyst

R. W. Beck, Inc.
 1000 Legion Place Suite 1100
 Orlando, FL 32801
 Main #: 407.422.4911

10/24/2007

Phone #: 407.648.3549

Fax #: 407.648.8382

This communication and any related verbal communication are provided under the terms of R. W. Beck's contract with its client, and are not intended to be used or relied upon by any third party other than advisors or consultants to the client. Any use of such communication by any other third party is the responsibility of such third party, and R. W. Beck accepts no responsibility for any damages incurred by any third party as a result of decisions or actions based on such communication. Any guidance or opinions provided herein should only be read and relied upon by client within the limitations and context of any prior guidance provided by R. W. Beck in any prior work products relating to the subject matter of such communication.

PARTIES**Kimberley Pena**

From: Kimberley Pena
Sent: Thursday, October 18, 2007 8:03 AM
To: 'Alliance4CleanFl@aol.com'
Subject: RE: Request to be added to Interested persons list for Docket # 070650

Per this e-mail, we will do so.

Thank you for writing to the Florida Public Service Commission.

Kimberley M. Peña
 Chief Deputy Commission Clerk
 Office of Commission Clerk
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, FL 32399-0850
 (850) 413-6770

From: Alliance4CleanFl@aol.com [mailto:Alliance4CleanFl@aol.com]
Sent: Wednesday, October 17, 2007 6:14 PM
To: Records Clerk
Cc: JanKArtist@aol.com
Subject: Request to be added to Interested persons list for Docket # 070650

October 18, 2007

Dear Florida Public Service Commission Office Clerk,

With this e-mail I request that on this day Oct 18, 2007 Jan Martins Krasowski and Bob Krasowski as individual rate payers of Florida Power and Light Company and separately as representatives of The Florida Alliance for a Clean Environment, 1086 Michigan Ave. Naples FL. 34103 - Phone 239-963-6285, E-mail Alliance4Cleanfl@aol.com be registered in the interested persons category regarding **Docket # 070650, Petition to determine need for Turkey Point Nuclear Units 6 and 7 electrical power plant, by Florida Power & Light Company.**

Thank You,
 Jan Martins Krasowski
 Bob Krasowski
 1086 Michigan Ave.
 Naples, FL. 34103

Bob Krasowski
 The Florida Alliance for a Clean Environment
 1086 Michigan Ave.
 Naples, FL. 34103
Alliance4Cleanfl@aol.com
 239-963-6285

*Done
 10/18/07
 KMP*

DOCUMENT NUMBER-DATE

09526 OCT 18 5

FPSC-COMMISSION CLERK

10/18/2007

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