

Diamond Williams

100312 - EI

From: Goorland, Scott [Scott.Goorland@fpl.com]
Sent: Friday, February 25, 2011 9:53 AM
To: Filings@psc.state.fl.us
Subject: Electronic Filing / Docket 100312-EI / FPL's Reply to Petitioners' Response to Respondent's Opposition to Reconsideration
Attachments: 2 25 11 FPL Reply to Petitioner's Response.pdf
Electronic Filing

a. Person responsible for this electronic filing:

Scott A. Goorland, Esq.
700 Universe Boulevard
Juno Beach, FL 33408
561-304-5633
scott.goorland@fpl.com

b. Docket No. 100312-EI

In re: Complaint against Florida Power & Light Company for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and FPL tariffs pertaining to billing of charges and collection of charges, fees, and taxes

c. Documents are being filed on behalf of Florida Power & Light Company.

d. There are a total of 3 pages in the attached document.

e. The document attached for electronic filing is Power & Light Company's Reply to Petitioner's Response to Respondent's Opposition to Reconsideration.

Thank you.

Scott A. Goorland
Principal Attorney
Florida Power & Light Company
(561) 304-5633
(561) 691-7135 Fax
scott.goorland@fpl.com

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

2/25/2011

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint against Florida Power & Light Company for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and FPL tariffs pertaining to billing of charges and collection of charges, fees, and taxes)
Docket No. 100312-EI
Filed: February 25, 2011

**FLORIDA POWER AND LIGHT COMPANY’S REPLY TO PETITIONERS’
RESPONSE TO RESPONDENTS’ OPPOSITIONS TO RECONSIDERATION**

Florida Power & Light Company, Inc., (“FPL”) hereby responds to Petitioner’s¹ “Response to Respondents’ Oppositions to Reconsideration” (“Petitioner’s Response”), filed February 22, 2011, in this docket, and states:

1. At the February 8, 2011 Agenda Conference, the Public Service Commission (“Commission”) granted FPL’s Motion to Dismiss Petitioner’s complaint in this docket.
2. Later that same day, Petitioner filed her “Notice and Motion for Reconsideration.”
3. On February 14, 2011, FPL filed its Reply to Petitioner’s Request for Reconsideration, recommending that the Commission deny Petitioner’s request.
4. On February 22, 2011, Petitioner filed Petitioner’s Response.
5. Petitioner’s Response is procedurally improper. Rule 25-22.0376, Florida Rules of Administrative Procedure, provides that a party may respond to a motion for reconsideration within 7 days of service of the motion. There is no opportunity under that rule or otherwise for the movant to reply to a response to a motion for reconsideration.

¹ The Petitioner has requested confidentiality in this docket. FPL has agreed as a courtesy in this docket simply to refer to “Petitioner”, and to redact Petitioner’s name where appropriate.

Respectfully submitted this 25th day of February, 2011.

R. Wade Litchfield, Vice President and General
Counsel

John T. Butler, Managing Attorney

Scott A. Goorland, Principal Attorney

Attorneys for Florida Power & Light Company

700 Universe Boulevard

Juno Beach, Florida 33408-0420

Telephone: (561) 691-7101

Facsimile: (561) 691-7135

By: /s/Scott A. Goorland

Scott A. Goorland

Florida Bar No. 0066834

CERTIFICATE OF SERVICE
Docket No. 100312-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic delivery or UPS overnight delivery this 25th day of February, 2011, to the following:

<p>Adam Teitzman, Esq. Lawrence Harris, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 ateitzma@psc.state.fl.us lharris@psc.state.fl.us</p>	<p>Connie Kummer Division of Economic Regulation 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 ckummer@psc.state.fl.us</p>
	

By: /s/Scott A. Goorland
Scott A. Goorland
Florida Bar No. 0066834

*Petitioners name and address redacted per request of the Petitioner in this docket