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September 15, 2006

VIA HAND DELIVERY

Blanca S. Bayó, Director Division of the Commission Clerk & Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

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Re: Docket No.: 060512-EU

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Electric Cooperatives Association, Inc. are the original and seven (7) copies of the following:

- (i) Motion for Leave to File Supplemental Comments to Proposed Rule 25-6.0343; and 08528-06
(ii) Supplemental Comments of the Florida Electric Cooperatives Association, Inc. to Proposed Rule 25-6.0343 08529-06

If you or your Staff have any questions regarding this transmittal, please contact me at 222-2300.

Very truly yours,

SQUIRE, SANDERS & DEMPSEY L.L.P.

Charles A. Guyton Partner

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Adoption of new rule 25-6.0343, F.A.C., ) Docket No. 060512-EU  
standards of construction -municipal electric )  
utilities and rural electric cooperatives ) File: September 15, 2006

**MOTION FOR LEAVE TO FILE**  
**SUPPLEMENTAL COMMENTS TO PROPOSED RULE 25-6.0343**

The Florida Electric Cooperatives Association, Inc. (“FECA”), on behalf of its member cooperatives,<sup>1</sup> by and through its counsel, moves the Commission for leave to file supplemental comments to proposed Rule 25-6.0343, Municipal Electric Utilities and Rural Electric Cooperatives, (“Proposed Rule”) that was issued on June 28, 2006 in Order No. PSC-06-0556-NOR-EU. In support of this motion, FECA states:

1. While the Proposed Rule was proposed in Docket Nos. 060172-EU and 060173-EU, the Commission has created a separate docket for consideration of the Proposed Rule, Docket No. 060512-EU. See, Order No. PSC-06-0632-PCO-EU.

2. In Order No. PSC-06-0632-PCO-EU, Commissioner Arriaga established a schedule for the filing of comments and a hearing date on the Proposed Rule. It called for initial comments to be filed on September 8, 2006, with reply comments due September 22, 2006. The hearing date is October 4, 2006. In the order the Commission specifically noted that the controlling dates may be effected by a subsequent Order “which may be issued.”

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<sup>1</sup>Alabama Electric Cooperative, Inc., Central Florida Electric Cooperative, Inc., CHELCO, Clay Electric Cooperative, Inc., Escambia River Electric Cooperative, Inc., Florida Keys Electric Cooperative Association, Inc., Glades Electric Cooperative, Inc., Gulf Coast Electric Cooperative, Inc., Okefenoke Rural Electric Membership Corporation, Peace River Electric Cooperative, Inc., Seminole Electric Cooperative, Inc., Sumter Electric Cooperative, Inc., Suwannee Valley Electric Cooperative, Inc., Talquin Electric Cooperative, Inc., Tri-County Electric Cooperative, Inc., West Florida Electric Cooperative, Inc., Withlacoochee River Electric Cooperative, Inc. Lee County Electric Cooperative is not a member of FECA.

3. In Order No. PSC-06-0632-PCO-EU, the Commission encouraged negotiation of alternative rule language among the Staff, municipal electric utilities and cooperatives. Commissioner Arriaga noted that, “[p]roviding the opportunity for Staff and the Municipals and Cooperatives the opportunity to negotiate language for our consideration is a reasonable use of Commission resources, and the dates proposed by FECA will allow progress on negotiations, while not adding needless delay in adopting these important new rules.”

4. FECA filed on September 8, 2006 initial comments as well as the testimony of Mr. John Martz and Mr. William B. Willingham, all of which addressed the Proposed Rule. In those initial comments, FECA proposed an alternative proposed Rule 25-6.0343, Attachment E, and discussed its alternative in Section V of its comments.

5. Subsequent to filing its initial comments, FECA, FMEA and the Staff came to agreement on alternative rule language other than that posed by FECA in its initial comments. FECA seeks leave to file supplemental comments that include the alternative rule language which is the fruit of negotiations along with an explanation of the advantages of such language. Essentially, the supplemental comments would take the place of Section V of and Attachment E to FECA’s earlier comments. Contemporaneous with the filing of this motion, FECA is filing its supplemental comments.

6. It is unclear whether FECA even needs to file for leave to file supplemental comments. Section 120.54, Florida Statutes, allows parties to file written material as late as the date of the scheduled public hearing. However, FECA is filing these comments earlier to allow all parties to this proceeding the opportunity to review and file replies to these supplemental comments. In that regard, FECA encourages the Commission to add a September 29, 2006 date to its schedule allowing parties to file comments responsive to FECA’s supplemental comments.

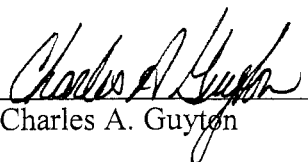
7. Thus, no party would be prejudiced by the granting of FECA's motion. More importantly, the granting of the motion would facilitate the hearing process and the Commission's and the Parties' consideration of alternative rule language. Therefore, FECA respectfully requests that this motion for leave to file supplemental comments be granted.

WHEREFORE, FECA respectfully moves the Commission to: (a) grant leave to FECA to file supplemental comments, and (b) enter an order providing parties until September 29, 2006 the opportunity to file comments in reply to FECA's supplemental comments.

Respectfully submitted,

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By:   
Charles A. Guyton

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Leave to File Supplemental Comments To Proposed Rule 25-6.0343 was served by Hand Delivery (\*) or U.S. Mail, postage prepaid, on this 15<sup>th</sup> day of September, 2006, upon:

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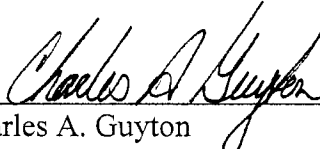
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