

Ruth Nettles

From: Dana Greene [DanaG@hgslaw.com]
Sent: Friday, August 28, 2009 4:00 PM
To: Filings@psc.state.fl.us
Cc: Mary Anne Helton; fself@lawfla.com; John.Butler@fpl.com; Gary Perko
Subject: Docket 090172-EI
Attachments: Docket 090172-EI - Ltr. to Cole.PDF

Electronic Filing

a. Person responsible for this electronic filing:

Gary V. Perko
Hopping Green & Sams, P.A.
119 South Monroe Street
Suite 300
Tallahassee, FL 32301
1-850-425-2359
garyp@hgslaw.com

b. Docket No. 090172-EI

In re: Petition to Determine Need for FPL EnergySecure Pipeline

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

d. There is a total of 1 page.

e. The document attached for electronic filing is Florida Power & Light Company's letter to Ann Cole.

Thank you for your cooperation.

Dana Greene, Legal Assistant to
William H. Green & Gary V. Perko
Hopping Green & Sams, P.A.
119 South Monroe St., Ste. 300 (32301)
P.O. Box 6526
Tallahassee, Florida 32314
850-425-3437 (direct)
850-224-8551 (fax)
danag@hgslaw.com

8/28/2009

DOCUMENT NUMBER-DATE
08956 AUG 28 09
FPSC-COMMISSION CLERK

Hopping Green & Sams

Attorneys and Counselors

August 28, 2009

BY ELECTRONIC MAIL

Ms. Ann Cole
Director, Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: *In re: Florida Power & Light Company's Petition to Determine Need for FPL
Florida EnergySecure Pipeline, Docket No. 090172-EI*

Dear Ms. Cole:

On April 7, 2009, Florida Power & Light Company ("FPL") filed a Petition to Determine Need for the FPL Florida EnergySecure Pipeline pursuant to section 403.9422, Florida Statutes ("F.S."), which has been assigned the above docket number. By consent of the parties in this docket, the issues to be determined were expanded beyond those explicitly enumerated for decision under the Natural Gas Transmission Pipeline Siting Act, section 403.9401 *et seq.*, F.S., which necessitated FPL's filing supplemental testimony to address the expanded issues. The deadlines for holding a hearing in this matter and taking final action on FPL's petition set forth in section 403.9422(a) could not accommodate the additional time required by supplemental testimony. Accordingly, by letter dated May 13, 2009, FPL agreed to a limited waiver of the hearing and final action deadlines set forth in Section 403.9422(a) with the understanding that FPL would be provided an opportunity to file supplemental testimony, that a hearing would be held in this matter beginning on July 27, 2009, and that the Commission would make a decision on FPL's petition on or before September 15, 2009.

FPL filed supplemental testimony and intervenor FGT requested and was given the opportunity to file surrebuttal testimony. Following the filing of FGT's surrebuttal, the final hearing was held July 27-28, 2009. In view of the expanded record in this proceeding, FPL agrees to an extension of the time for a decision up to and until October 6, 2009.

If you have any questions regarding this waiver, please contact me at 222-7500.

Very truly yours,

HOPPING GREEN & SAMS, P.A.

By:


Gary V. Perko

Attorneys for FLORIDA POWER & LIGHT COMPANY

cc: Mary Anne Helton, Esq.
Floyd Self, Esq.
John Butler, Esq.