

Ruth Nettles

090009-EI

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Sent: Monday, October 26, 2009 4:48 PM
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Subject: Re: Docket No. 090009-EI SACE Request for Oral Argument
Attachments: SACE Req. for Oral Argument 10-26-09 FINAL.pdf

a. Person Responsible for Filing

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b. Docket No. 090009-EI, In Re: Nuclear Plant Cost Recovery Clause

c. Filed on behalf of the Southern Alliance for Clean Energy, Inc. (SACE)

d. Total Pages = 7

e. Request for Oral Argument

DOCUMENT NUMBER-DATE

10869 OCT 26 8

FPSC-COMMISSION CLERK

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October 26, 2009

Ann Cole
Director, Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850

RE: Docket No. 090009-EI
In Re: Nuclear Cost Recovery.

Dear Ms. Cole:

On behalf of the Southern Alliance for Clean Energy, Inc., I have enclosed for filing a Request for Oral Argument, consisting of six pages. I thank you for your attention to this matter.

Sincerely,

/s/ E. Leon Jacobs, Jr.

E. Leon Jacobs, Jr.
Attorney for Southern Alliance for Clean Energy, Inc.

Enclosures

DOCUMENT NUMBER-DATE

10869 OCT 26 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Plant Cost)
Recovery Clause)
_____)

DOCKET NO. 090009-EI
FILED: OCTOBER 26, 2009

THE SOUTHERN ALLIANCE FOR CLEAN ENERGY'S
REQUEST FOR ORAL ARGUMENT

The Southern Alliance for Clean Energy ("SACE"), by and through its undersigned counsel, and pursuant to Rule 25-22.0022, Florida Administrative Code, respectfully requests the opportunity to present oral argument on SACE's Request that the Florida Public Service Commission ("Commission") Take Official Recognition of Action by the Nuclear Regulatory Commission ("NRC").

1. On October 21, 2009, SACE filed its Petition for the Commission to Take Official Recognition of Action by the Nuclear Regulatory Commission.

2. On October 22, 2009, Progress Energy of Florida ("PEF") filed a Motion to Strike SACE's Request. On October 23, 2009, Florida Power & Light ("FPL") joined in and adopted the arguments of PEF's Motion to Strike.

3. At hearing in this matter, and again at its October 16, 2009, Agenda Conference, the Commission made note of the novelty of this docket, specifically noting the dynamic nature of the Commission's deliberations in assessing the long-term feasibility of the plants for which cost recovery is sought. The Commission expressly sought to be made aware of trends which affect the long-term feasibility of these plants.

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Oral Argument would allow the Commission a clear opportunity to evaluate the nexus between the actions of the NRC and the ongoing, incremental analysis of long-term feasibility for the plants considered in this docket. Further, oral argument will aid the Commission in understanding the particularly dynamic nature of the NRC proceedings regarding the AP1000 reactor design. At the October 16th Agenda Conference, the Commission held extensive discussions regarding the need to recognize potential obstacles to the construction of nuclear plants (See TR 25-26, 30-34, 36-38, and 106-107). Oral argument would assist the Commission in recognizing how NRC actions in this matter affect the Commission's ability to implement the rules and statutes which govern this cost recovery process.

WHEREFORE, SACE respectfully requests that this Request for Oral Argument be granted.

RESPECTFULLY SUBMITTED this 26th day of October, 2009.

/s/ E. Leon Jacobs, Jr.

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CERTIFICATE OF SERVICE
Docket No. 090009

I HEREBY CERTIFY that a true and correct copy of the foregoing REQUEST TO TAKE OFFICIAL RECOGNITION has been furnished by electronic mail (e-mail) and/or U.S. Mail this the 26th day of October, 2009.

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