

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 23, 2011
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Lawrence D. Harris Jr., Senior Attorney, Office of the General Counsel
RE: Docket 110018 - Joint petition for modification to determination of need for expansion of an existing renewable energy electrical power plant in Palm Beach County by Solid Waste Authority of Palm Beach County and Florida Power & Light Company, and for approval of associated regulatory accounting and purchased power agreement cost recovery.

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Please place the attached correspondence from Richard Zambo, on behalf of the Joint Petitioners, in the above-referenced docket file. The letter details the Joint Petitioner's extension of statutory time limits in this proceeding to accommodate the current Commission hearing schedule. Thank you for your assistance.

DOCUMENT NUMBER-DATE
01936 MAR 23 =
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March 23, 2011

Larry Harris, Esquire
Florida Public Service Commission
2549 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: **Docket No. 110018-EU** -- Joint Petition for Modification to Determination of Need and for Approval of Associated Regulatory Accounting and Purchased Power Agreement Cost Recovery

Dear Larry,

The current schedule in FPSC Docket No. 110018-EU establishes the following events and dates: hearing on April 25th, post-hearing submittals (if any) by May 9th, Commission agenda on June 14th, and issuance of an Order on June 28th. Commission Rule 25-22.080, F.A.C., provides among other things that:

- (i) “. . . the Commission shall set a date for hearing, which shall be within 90 days of receipt of the petition . . .”;
- (ii) “. . . each party may make submittals to the Commission on a time schedule to be determined in accordance with the requirements of each proceeding, but terminating no later than 120 days from the receipt of the petition . . .”; and,
- (iii) “The matter will be placed before the Commission on an agenda which will permit a decision no later than 135 days from the date of receiving the petition or the issuance of the order commencing the proceeding.”

Based on the procedural orders and the current CASR in this proceeding, through no fault of the Commission, none of these three time limits will be met.

Joint Petitioner SWA hereby agrees to extend the applicable time limits specified in the rule to accommodate the currently-scheduled dates for the hearing, post-hearing submittals, Commission agenda, and issuance of an order as those dates are set forth above. Joint Petitioner FPL has no objections to this proposed extension of the applicable time limits.

If you have any questions or require anything further in this regard, please do not hesitate to contact us.

/s/ **Rich Zambo**

/s/ **Will P. Cox**

Richard A. Zambo
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William P. Cox
Senior Attorney

Marsha E. Rule
Rutledge, Ecenia & Purnell, P.A.

Florida Power & Light Company

Attorneys for Solid Waste Authority

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