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November 2, 2001

Charles A. Guyton 850 222.3423

By Hand Delivery

Blanca S. Bayó
Division of the Commission Clerk &
Administrative Services
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, Florida 32399-0850

010000-PM

In Re: FPL Request for Proposal ("RFP")

Dear Ms Bayó:

STEEL

HECTOR

BDAVIS**

On August 13, 2001, Florida Power & Light Company filed with the Commission a Request for Proposal for firm capacity and renewable energy. FPL also filed a copy of the press release related to the RFP as well as the advertisement FPL was running that day in the Wall Street Journal.

Subsequent to FPL's issuance of its RFP, FPL posted a series of questions and answers regarding the RFP on a designated web site. The web site address was provided to all developers who expressed an interest in the RFP. Moreover, at the prebid meeting held in Miami on August 24, 2001, FPL provided the web site address to all the developers attending. In the questions and answers posted on FPL's web site, FPL provided interpretations of the RFP. In three instances FPL modified the RFP through its responses provided on its web site.

The three modifications to the RFP may be summarized as follows. First, FPL extended the deadline for submitting proposals by two weeks from September 14 to September 28. This was done by means of an August 26, 2001 web site posting. FPL also sent e-mail announcing that deadline change to all developers who had paid the fee to receive the RFP. Second, in a September 6, 2001 web site posting FPL changed paragraph 2) on page 17 of the RFP to clarify FPL's intent regarding potential termination of a contract if costs were disallowed. Third, in recognition that the events of September 11, 2001 had disrupted courier service, on September 20, 2001 FPL posted a notice on its web site that it would accept courier deliveries of proposals

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after September 28, 2001 as long as there was proof that the proposal was delivered to the courier on or before September 27, 20001 for next day or overnight delivery. Attached to this letter are the three web site postings that reflect the modification to the RFP.

If the Commission or its Staff has any questions regarding this transmittal, please contact me at 222-2300.

Respectfully,

Charles A Guyton

Attorney for Florida Power & Light Company

Enc.

Questions and Answers relating to FPL's Request for Proposals for Capacity and Energy

Due Date Extension (8/26/01)

As we discussed in the bidder's conference and based on further review, we will extend the due date for proposals from September 14 to September 28th.

Questions should be submitted to us no later than September 21.

Will FPL clarify the meaning of and consider modifications to, the first paragraph on page 17 of the RFP regarding termination of contract due to failure to obtain costs recovery from the PSC? (9/06/01)

On page 17 of Florida Power & Light's RFP's, the following paragraph

- 2) Any negotiated contract for the purchase of capacity and/or energy between FPL and the Bidder will be subject to termination by FPL in the event that the Florida Public Service Commission fails to allow cost recovery of all costs incurred pursuant to the contract. Is now changed to the following:
- 2) In the event that the Florida Public Service Commission, or any other legislative, administrative, judicial or regulatory body which now has, or in the future may have, jurisdiction over FPL's rates and charges fails to allow cost recovery of all the costs incurred pursuant to any negotiated contract for the purchase of capacity and/or energy between FPL and the Bidder, the payments required to be made under the contract shall be reduced to the amount which FPL is authorized to recover from its customers. Should the payments be reduced by a significant amount, either Party may, within the notice period provided in the contract, terminate the contract as of a specified future date. The specific terms will be the subject of contract negotiations

Important Notice (9/20/01)

Bids that are in response to FPL's RFP are due to FPL by 4:00 p.m. on Friday, September 28, 2001. Bids provided by hand delivery must be received by 4:00 p.m. on Friday, September 28, 2001. Another option of submitting a bid is by courier. Realizing how the events of the last week and a half have affected courier service, FPL will accept any **next day** or **overnight** package sent by courier, even if it does not arrive at FPL until after September 28, as long as there is proof that it was delivered to the courier for **overnight** or **next day** delivery on or before September 27, 2001.