

STEEL
HECTOR
& DAVIS™

Steel Hector & Davis LLP
200 South Biscayne Boulevard
Miami, Florida 33131-2398
305.577.7000
305.577.7001 Fax
www.steelhector.com

John T. Butler, P.A.
305.577.2939
jbutler@steelhector.com

April 17, 2002

-VIA HAND DELIVERY-

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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Re: Docket Nos. 020262-EI and 020263-EI

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company are the original and seven (7) copies of Florida Power & Light Company's Response to Petitions for Leave to Intervene of Mirant Corporation, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the document appears is Word 2000.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

Very truly yours,

John John T. Butler, P.A.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power & Light Company for a determination of need for a power plant proposed to be located in Martin County))))) <hr/>	Docket No. 020262-EI
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In re: Petition of Florida Power & Light Company for a determination of need for a power plant proposed to be located in Manatee County))))) <hr/>	Docket No. 020263-EI Dated: April 17, 2002
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**FLORIDA POWER & LIGHT COMPANY'S RESPONSE TO
PETITIONS FOR LEAVE TO INTERVENE OF MIRANT CORPORATION**

Florida Power & Light Company ("FPL") hereby responds as follows to the petitions for leave to intervene that Mirant Corporation ("Mirant") has filed in the above dockets. The grounds for FPL's response are as follows:

1. Mirant alleges that it timely submitted a bid in response to FPL's August 2001 Request for Proposals ("RFP"). Without accepting Mirant's characterization of the RFP process, FPL acknowledges that Mirant was indeed a bidder. Accordingly, FPL has no objection to Mirant's intervening in these dockets to participate in the evaluation of FPL's need-determination petitions consistent with section 403.519, Florida Statutes, and Rule 25-22.082, Florida Administrative Code. However, there are three aspects of Mirant's petitions to intervene that raise concerns requiring comment.

2. Certain of the "Disputed Issues of Law and Fact" identified in Mirant's petitions to intervene are neither necessary nor appropriate to a need-determination proceeding. However, FPL does not believe it would be productive to debate the proper scope of issues via its response

to Mirant's petitions to intervene. Rather, FPL reserves the right to challenge Mirant's issues during the issue-identification process in these dockets.

3. Mirant's petitions to intervene also allege "ultimate facts" that FPL strongly disputes. It will be Mirant's burden to prove these alleged "ultimate facts," which FPL is confident Mirant will be unable to do.

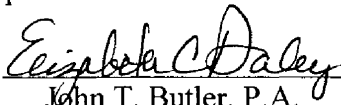
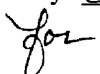
4. Finally, the prayer for relief in Mirant's petitions to intervene is inappropriately and insupportably overbroad. It contains four numbered paragraphs. While Paragraph 1 conventionally requests that Mirant be granted intervener status, Paragraphs 2-4 request relief that extends well beyond granting intervener status, is premature and unsupported by Mirant's pleadings (much less any evidence) and, in at least one instance, contemplates action that exceeds the Commission's authority. Accordingly, the Commission should deny as premature Paragraphs 2-4 of Mirant's prayer for relief.

WHEREFORE, FPL respectfully requests that, if the Commission grants Mirant intervener status in these dockets, the Commission (i) clarify that the appropriateness of Mirant's "Disputed Issues of Law and Fact" will be considered during the issue-identification process in these dockets, and (ii) deny as premature Paragraphs 2-4 of Mirant's prayer for relief.

Respectfully submitted,

R. Wade Litchfield, Esq.
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
Telephone: 561-691-7101

Steel Hector & Davis LLP
200 S. Biscayne Blvd., Suite 4000
Miami, Florida 33131-2398
Telephone: 305-577-2939

By:  FBN 0104507
 John T. Butler, P.A.
Fla. Bar No. 283479

CERTIFICATE OF SERVICE
Docket Nos. 020262-EI and 020263-EI

I HEREBY CERTIFY that a true and correct copy or courtesy copy (*) of Florida Power & Light Company's Response to Petitions for Leave to Intervene of Mirant Corporation was served by United States Mail this 17th day of April, 2002, to the following:

Martha Carter Brown, Esq.
Lawrence Harris, Esq.
Legal Division
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

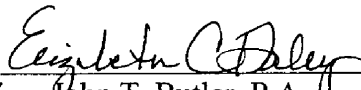
Robert Scheffel Wright, Esq.*
Diane K. Kiesling, Esq.
John T. LaVia, III
Landers & Parsons, P.A.
310 West College Avenue
Tallahassee, Florida 32301

Joseph A. McGlothlin, Esq.*
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301

Suzanne Brownless, Esq.
Suzanne Brownless, P.A.
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

Michael G. Briggs*
Reliant Energy, Inc.
801 Pennsylvania Avenue, Suite 620
Washington, DC 20004

Jon C. Moyle, Jr., Esq.*
Cathy M. Sellers, Esq.
Moyle Flanigan Katz Raymond &
Sheehan, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301

By: 
For John T. Butler, P.A.