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COGENERATION & ALTERNATIVE ENERGY
ENERGY REGULATORY LAW

VIA HAND DELIVERY

February 17, 2004

Ms. Blanca S. Bayó, Director
Division of Records & Reporting
Florida Public Service Commission
Capitol Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

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COMMISSION
CLERK

In re: **FPSC Docket No. 031093-EQ**
Petition of Florida Power & Light Company
for Approval of Standard Offer Contract

Dear Ms. Bayó,

Enclosed for filing in the above captioned Docket please find the original and 7 copies of the "Comments of City of Tampa, Florida & Solid Waste Authority of Palm Beach County, Florida".

If you have any questions regarding this filing, or require additional information, please do not hesitate to contact this office.

Sincerely,

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sn

FPSC-BUREAU OF RECORDS

Richard A. Zambo
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DOCUMENT NUMBER-DATE

02181 FEB 17 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition of Florida Power)
& Light Company for Approval)
of Standard Offer Contract)**

Docket No. 031093-EQ

Filed: February 17, 2004

Comments of
City of Tampa, Florida
&
Solid Waste Authority of Palm Beach County

The City of Tampa, Florida and the Solid Waste Authority of Palm Beach County, Florida, ("Governmental QFs"), by and through their undersigned attorney, file these comments regarding certain aspects of Florida Power and Light Company's proposed standard offer contract, in the captioned proceeding.

1. Governmental QFs own and/or operate qualifying facilities (as defined under Florida and Federal law) which produce electricity from Florida renewable energy resources.
2. Governmental QFs produce electricity from Florida renewable energy in the process of disposing of municipal solid waste.
3. Florida renewable energy resources provide a number of unique, beneficial environmental and other attributes, in addition to the production of electricity.
4. Florida Power & Light Company (FPL), by virtue of new language contained in Section 4.2 of its proposed standard offer contract, seeks Commission acquiescence to FPL's taking – without compensation - from any QF accepting such Standard Offer Contract, "... the benefits of any environmental attributes associated with the QF or the Facility. . .".

DOCUMENT NUMBER-DATE

02181 FEB 17 3

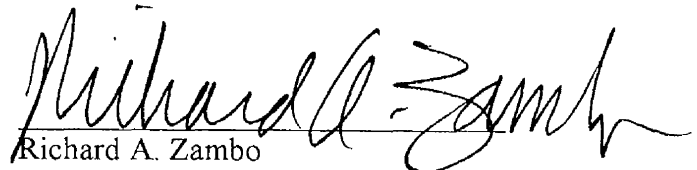
FPSC-COMMISSION CLERK

5. FPL's proposal is contrary to Florida and Federal law, as well as existing and developing Florida energy policy regarding renewable sources of energy.

6. Governmental QFs agree with Commission Staff's conclusion that this aspect of FPL's proposal is unreasonable, and urges the Commission to adopt Staff's recommendation that FPL's proposed Standard Offer Contract and associated tariffs should not be approved as filed.

WHEREFORE, Governmental QFs urge the Commission to reject in total the above-referenced provisions contained in Section 4.2 (including any related provision of similar import which may appear elsewhere within the documents) of FPL's proposed Standard Offer Contract.

Respectfully submitted for filing on the 17th day of February, 2004.


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Florida Bar No. 312525

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