

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for prudence determination
regarding new pipeline system by Florida
Power & Light Company.

DOCKET NO. 130198-EI
ORDER NO. PSC-13-0669-FOF-EI
ISSUED: December 18, 2013

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COMMISSION
CLERK

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER GRANTING MOTION TO DISMISS

BY THE COMMISSION:

On October 28, 2013, we issued a Proposed Agency Action, Order No. PSC-13-0505-PAA-EI (Pipeline Order), on the proposed Sabal Trail Transmission, LLC (Sabal Trail) and Florida Southeast Connection Pipelines to be constructed to meet Florida Power & Light Company's (FPL)'s gas transmission needs. Our Pipeline Order approved FPL's need for additional firm natural gas transmission capacity and its eligibility to seek recovery of costs associated with firm natural gas transportation contracts in the fuel clause. The Pipelines were selected by FPL, following a request for proposals (RFP) to develop new natural gas transportation infrastructure into southern Florida. We acknowledged that FPL demonstrated a need for 400 MMcf/day of additional firm natural gas transmission capacity by 2017 and is eligible to seek recovery of costs associated with firm natural gas transportation contracts in the fuel clause. Our Pipeline Order notes that FPL is not obligated by law to obtain approval to enter into long-term gas transportation contracts for the projects, as both contracts are governed by the Federal Energy Regulatory Commission (FERC).

On November 15, 2013, a Petition for Formal Evidentiary Proceeding Based on Disputed Issues of Fact was filed by Beth M. Gordon, Arlene Bell, Freddie Bell, Mian J. Matvejs, and Gertrude C. Dickinson, hereinafter "Petitioners." The Petitioners request a formal hearing, a referral to the Florida Department of Environmental Protection for various studies regarding the pipelines, and seek assurance that the pipeline will primarily benefit the people of the state of Florida.

On November 20, 2013, FPL filed a Motion to Dismiss the Protest. On December 4, 2013, the Petitioners late-filed a Response to FP&L's Motion to Dismiss (Response to Motion to Dismiss). On December 6, 2013, the Petitioners filed a Motion to File Petitioners' Response to FP&L's Motion to Dismiss Out of Time, Nunc Pro Tunc (Motion to Late File) and refiled its Response to the Motion to Dismiss. Order PSC-13-0651-PCO-EI, issued December 9, 2013,

