

REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

ORIGINAL

Date of Request: 05/09/02 Date of Agenda Conference: 05/21/02 Item No. _____

Docket No.: 020262-EI & 020263-EI Brief Title: Petition to Determine Need for Martin and Manatee Electrical Power Plants

Requested by: Staff Other _____

Please attach a copy of the written documentation filed (if other) _____ (Name)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11 and SOP 1607]

- Defer Item to Agenda Scheduled Date: _____
- Change Order of Item or Take Up at Time Certain
- Withdraw Item
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**
- Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

Additional information has been received integral to this Emergency Rule Waiver Recommendation, including Comments filed by an Intervenor and significant communication from Florida Power and Light which needs to be addressed in the staff Recommendation. The comments include a request that the PSC assume more active oversight of the second RFP process, while the communication from FPL involves a proposal for Commission staff to monitor the process. Staff requests additional time, until Friday, May 10, 2002, to incorporate this newly received information into the Recommendation.

Signature (OPR Staff): _____

Initials (OPR Division Director or Designee): [Signature]

Signature (Legal Staff): [Signature]

Initials (Legal Division Director or Designee): _____

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Approve Request Deny Request

Initials: MAB

Date: 5/9/02

Comments:

CHAIRMAN'S OFFICE:

Approve Request Deny Request

Initials: [Signature]

Date: 5/9/02

Executive Suite will send the original to the Division of Commission Clerk and Administrative Services and return a copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

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PSC/EXD-1 (03/02)

DOCUMENT NUMBER-DATE

05017 MAY-98

FPSC-COMMISSION CLERK

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: MAY 9, 2002

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES (BAYÓ)

FROM: OFFICE OF THE GENERAL COUNSEL (BROWN, HARRIS)
DIVISION OF ECONOMIC REGULATION (HAFF)

RE: DOCKET NO. 020262-EI - PETITION TO DETERMINE NEED FOR AN
ELECTRICAL POWER PLANT IN MARTIN COUNTY BY FLORIDA POWER
& LIGHT COMPANY.

DOCKET NO. 020263-EI - PETITION TO DETERMINE NEED FOR AN
ELECTRICAL POWER PLANT IN MANATEE COUNTY BY FLORIDA POWER
& LIGHT COMPANY.

AGENDA: 05/21/02 - REGULAR AGENDA - PROPOSED AGENCY ACTION - RULE
VARIANCE - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: MAY 29, 2002 - EMERGENCY RULE WAIVER PETITION
DEEMED APPROVED IF NOT GRANTED OR DENIED WITHIN
30 DAYS OF RECEIPT

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\GCL\WP\020262.RCM

CASE BACKGROUND

In August of 2001, Florida Power and Light Company (FPL) issued a Request for Proposals (RFP) for additional generating capacity to fill its projected capacity needs in 2005 and 2006. FPL evaluated numerous proposals from 15 respondents to the RFP, along with several of its own proposals to supply the needed capacity. In February of 2002, FPL announced that it would not select any of the respondents to its RFP to build its capacity additions, but instead would seek certification of two new power plants it would build itself on its existing Martin and Manatee plant sites. FPL filed its Petitions for Certification of the