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**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

**ORIGINAL**

STEPHEN A. ECENIA  
RICHARD M. ELLIS  
KENNETH A. HOFFMAN  
LORENA A. HOLLEY  
MICHAEL G. MAIDA  
MARTIN P. McDONNELL  
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551  
215 SOUTH MONROE STREET, SUITE 420  
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788  
TELECOPIER (850) 681-6515

R. DAVID PRESCOTT  
HAROLD F. X. PURNELL  
MARSHA E. RULE  
GARY R. RUTLEDGE  
MAGGIE M. SCHULTZ  
GOVERNMENTAL CONSULTANTS  
MARGARET A. MENDUNI  
M. LANE STEPHENS

February 23, 2005

**VIA HAND DELIVERY**

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
Betty Easley Conference Center  
2540 Shumard Oak Boulevard, Room 110  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
05 FEB 23 PM 12:48  
COMMISSION  
CLERK

Re: In re: Petition of Florida Power & Light Company for Determination of Need for St. Johns-Pellicer-Pringle 230 kV Transmission Line

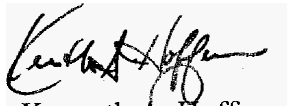
Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are the original and fifteen copies of FPL's Notice of Intent to File Petition for Transmission Line Need Determination.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me. Please contact me if you have questions regarding this filing.

Thank you for your assistance with this filing.

Sincerely,

  
Kenneth A. Hoffman

KAH/rl  
Enclosures

RECEIVED & FILED

R. V. N.  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
01881 FEB 23 05  
FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Florida Power & )  
Light Company for Determination of )  
Need for St. Johns-Pellicer-Pringle )  
230 kV Transmission Line )

Docket No. \_\_\_\_\_

Filed: February 23, 2005

**NOTICE OF INTENT TO FILE PETITION  
FOR TRANSMISSION LINE NEED DETERMINATION**

Florida Power & Light Company ("FPL"), hereby gives Notice of its Intention to File a Petition for Determination of Need pursuant to Section 403.537, Florida Statutes, for its St. Johns-Pellicer-Pringle 230 kV Transmission Line. In support of this Notice of Intent, FPL states:

1. The name and mailing address of the Applicant is:

Florida Power & Light Company  
9250 West Flagler Street  
Miami, Florida 33174  
(305) 552-3244 (office)  
(305) 552-3247 (fax)

2. Copies of all notices, pleadings, and other documents related to this docket should be served on the following on behalf of FPL:

Mr. William G. Walker, III  
Vice President, Regulatory Affairs  
Florida Power & Light Company  
215 S. Monroe Street  
Suite 800  
Tallahassee, FL 32301  
850/521-3900 (Telephone)  
850/521-3939 (Telecopier)

Kenneth A. Hoffman, Esq.  
Marsha E. Rule, Esq.  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
P. O. Box 551  
Tallahassee, Florida 32302  
850/681-6788 (Telephone)  
850/681-6515 (Telecopier)  
- - and - -

Garson R. Knapp, Esq.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 304-5720 (Telephone)  
(561) 625-7594 (Telecopier)

3. The St. Johns-Pellicer-Pringle 230 kV Transmission Line will extend from FPL's existing St. Johns Substation in St. Johns County to FPL's planned Pringle Substation in Flagler County.

4. The counties, regional planning council and water management district in whose jurisdiction the transmission line could be placed are St. Johns and Flagler Counties, the Northeast Florida Regional Planning Council and the St. Johns River Water Management District, respectively.

5. FPL reasonably expects to file the Petition for Need Determination for the St. Johns-Pellicer-Pringle Line on or before March 25, 2005. FPL agrees that its failure to file the Petition within five days after such date will constitute a 30-day waiver by FPL of the statutory deadline for conduct of the final hearing.

6. Pursuant to Section 403.537(1)(a), Florida Statutes, and Rule 25-22.075, Florida Administrative Code, the Commission is required to hold a hearing on FPL's Petition within 45 days after the filing of the Petition. Based on FPL's proposed filing date, the hearing is required to be held by May 16, 2005.<sup>1</sup>

7. Pursuant to Rule 25-22.075(2), Florida Administrative Code, upon receipt of this Notice of Intent, the Commission is required to schedule a hearing and provide notice of the hearing to:

a. FPL;

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<sup>1</sup>Section 403.537(1)(a), Florida Statutes, requires that the hearing be held within 45 days after the filing of the Petition. Rule 25-22.075(1)(b), Florida Administrative Code, allows FPL 5 additional days beyond the targeted date of March 25, 2005 for the filing of its Petition without potentially extending the 45-day hearing deadline. Thus, based on the targeted Petition filing date of March 25, 2005, and allowing for a potential additional 5 days for the filing of the Petition, the hearing would be required to be held on or before May 14, 2005. Because May 14, 2005 is a

- b. The Department of Community Affairs, Division of Community Planning; and
- c. The Department of Environmental Protection;
- d. Each person who has requested placement on the mailing list for receipt of such notice;
- e. The counties, water management district, and regional planning council in whose jurisdiction the transmission line could be placed; and
- f. The Fish and Wildlife Conservation Commission.

8. In addition, under Section 403.537(1)(a), Florida Statutes, and Rule 25-22.075(3) and (4), Florida Administrative Code, the Commission shall publish notice of the hearing, at least 45 days in advance:

- a. By publication of a notice, at least one-quarter page in size, in newspapers of general circulation in the counties (St. Johns and Flagler) in which the line is planned to be located; and
- b. By publication in the Florida Administrative Weekly.

9. FPL has filed this Notice of Intent to enable the Commission to set a hearing date for the docket and to allow the notice process to commence in a manner that will comply with the requirements of Section 403.537, Florida Statutes, and Rule 25-22.075, Florida Administrative Code.

WHEREFORE, FPL respectfully requests that the Commission:

- A. **Set a date not later than May 16, 2005 for the final hearing in this docket; and**

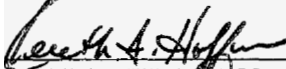
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Saturday, the appropriate outside date for the scheduling of the hearing is May 16, 2005.

B. Provide notice of such hearing date at least 45 days in advance by the methods and to the persons and entities specified in the applicable statute and rule.

Respectfully submitted,

By:



KENNETH A. HOFFMAN, ESQ.  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
P. O. Box 551  
Tallahassee, Florida 32302  
Telephone: 850-681-6788  
Telecopier: 850-681-6515

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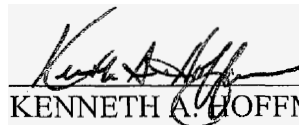
GARSON R. KNAPP, ESQ.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 304-5720 (Telephone)  
(561) 625-7504 (Telecopier)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished by Hand Delivery to the following this 23<sup>rd</sup> day of February, 2005:

Richard D. Melson, General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

By:



KENNETH A. HOFFMAN, ESQ.