Florida Power & Light Company, P.O. Box 029100, Miami, FL 33102-9100

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John T. Butler
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May 4, 2006

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

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Re: Docket No. 060355-EI

Dear Ms. Bayó:

On April 24, 2006, Florida Power & Light Company filed its Petition for Emergency Rule or, Alternatively, Declaratory Statement Prohibiting Wireless Attachments in Electric Supply Space in the above docket. Exhibit F to the Petition is an affidavit of Thomas J. Kennedy, P.E. FPL enclosed a copy of Mr. Kennedy's affidavit with the Petition because of logistical difficulties in arranging for delivery of the original. I am now enclosing the original affidavit and ask that you include it with the original Petition in your file for this docket.

Thank you for your assistance with this. Of course, if you have any questions please do not hesitate to call me at 305-552-3867.

Sincerely,

John T. Butler

Enclosure

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STATE OF FLORIDA)
) **AFFIDAVIT OF THOMAS J. KENNEDY P.E.**
COUNTY OF MIAMI DADE)

BEFORE ME, the undersigned authority, personally appeared Thomas J. Kennedy P.E. who, being first duly sworn, deposes and says:

1. My name is Thomas J. Kennedy P.E. I am currently employed by Florida Power & Light Company ("FPL") as Joint Use Manager in the Power Systems Division. My business address is 9250 W. Flagler Street, Miami, FL 33174. I have personal and professional knowledge of the matters stated in this affidavit.

2. Allowing the addition of second or third party attachments in the power supply space will make it less safe for FPL employees to work in the power supply space because there would be more congestion in that space and less room to work. Additionally, these carriers are demanding access to poles in easements which FPL has no access to by bucket truck. This makes it even less safe to work on these facilities. While working in the power supply space, second and third party workers will be exposed to lethal voltage conditions they are not normally accustomed to on a regular basis. A simple slip of consciousness or failure to take appropriate precautionary measures can be deadly.

3. Reliability **will be** impacted if second and third party attachments are allowed in the power supply space. More time consuming safety precautions will have to be taken when working around these facilities which will increase the duration of electric customer outages during restoration efforts. During construction of these facilities in the power supply space, outages would likely be required. Any regular maintenance of these antenna facilities would require either an outage or coordination with FPL's dispatch centers for a temporary modified breaker relay setting (Recloser Off) that would trip a feeder for extra worker protection. This impacts reliability in two ways. If the feeder trips for any reason, including something as simple as a branch brushing the conductor while the recloser is off, the electric customers on that feeder are without power until it is determined that all workers, grounds

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and equipment have been verified to be in the clear. The second impact involves the dispatch centers. Time taken away from a dispatcher or service restoration specialist to provide a communication worker with a clearance or a recloser off relay setting for their (non-electric) work is time that dispatcher or restoration specialist is not applying to service restoration. Additionally, these carriers are demanding that FPL notify them prior to performing any work on FPL's poles that may affect their service. This only increases the outage time to the electric customer waiting for service restoration. In addition, ANY mishap of second or third party equipment in the power supply space (i.e. if the antenna breaks; if the antenna is blown over by the wind; if the antenna catches flying objects and drops them or the antenna into the conductor; if lightning destroys the antenna) WILL affect the reliability of FPL's electric service

4. Finally, but just as important, moving facilities higher on the pole can substantially increase the windloading on that pole. The static moment (stress) caused by windloading of any object on a pole increases proportionately with the height of that object. For example, an antenna placed on the top of a 45 foot pole would subject that pole to more than twice the stress caused by wind of the exact same antenna placed at 16 feet. In addition, cast concrete poles are not designed to contain rebar on the top and are therefore substantially weaker in this area.

5. Affiant says nothing further.

Thomas J. Kennedy P.E.

SWORN TO AND SUBSCRIBED before me this 17th day of April, 2006, by Thomas J. Kennedy P.E. who is personally known to me or who has produced FLA DL KS30-830-53-400-0 (type of identification) as identification and who did take an oath.

WYNDOLYN BARRY NOTARY PUBLIC WATAUGA COUNTY NORTH CAROLINA

Notary Public, ~~State of Florida~~ North Carolina

My Commission Expires: per notary 12-30-2009