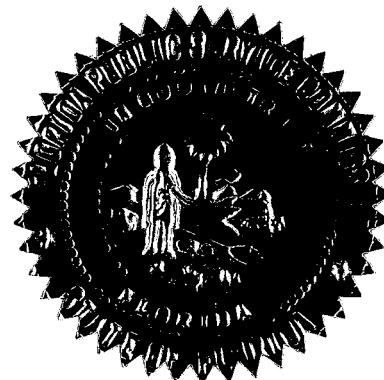


BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060225-EI

In the Matter of

PETITION FOR DETERMINATION OF NEED FOR  
WEST COUNTY UNITS 1 AND 2 ELECTRICAL  
POWER PLANTS IN PALM BEACH COUNTY, BY  
FLORIDA POWER & LIGHT COMPANY.



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THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: PREHEARING

BEFORE: COMMISSIONER ISILIO R. ARRIAGA  
PREHEARING OFFICER

DATE: Tuesday, May 23, 2006

TIME: Commenced at 9:30 a.m.  
Concluded at 9:37 a.m.

PLACE: Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR  
Chief, Hearing Reporters Section  
FPSC Division of Commission Clerk and  
Administrative Services  
(850) 413-6732

1 PARTICIPATING:

2                   BRYAN S. ANDERSON, ESQUIRE, R. WADE  
3 LITCHFIELD, ESQUIRE, NATALIE F. SMITH, ESQUIRE,  
4 Florida Power & Light Company, 700 Universe  
5 Boulevard, Juno Beach, Florida 33408-0420, appearing  
6 on behalf of Florida Power & Light Company.

7                   KATHERINE E. FLEMING, ESQUIRE, FPSC General Counsel's  
8 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida  
9 32399-0850, appearing on behalf of the Commission Staff.

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## P R O C E E D I N G S

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2 COMMISSIONER ARRIAGA: Good morning. We are on the  
3 record. We call this prehearing to order.

4 Ms. Fleming, please read the notice.

5 MS. FLEMING: Pursuant to notice issued by the  
6 Commission Clerk on April 13th, 2006, this time and place has  
7 been set for a prehearing conference in Docket Number  
8 060225-EI.

9 COMMISSIONER ARRIAGA: Thank you. We'll now take  
10 appearances.

11 MR. ANDERSON: Good morning, Commissioner. My name  
12 is Bryan Anderson, I'm representing Florida Power and Light  
13 Company. I would like to enter the appearances, please, of my  
14 colleagues, R. Wade Litchfield, Natalie F. Smith, and myself,  
15 all of 700 Universe Boulevard, Juno Beach, Florida 33408.

16 COMMISSIONER ARRIAGA: Any other intervenors or  
17 persons that will make appearances?

18 Staff.

19 MS. FLEMING: Katherine Fleming appearing on behalf  
20 of the Commission.

21 COMMISSIONER ARRIAGA: Thank you, Ms. Fleming.

22 We're now going to preliminary matters. Are there  
23 any preliminary matters that we need to address?

24 MS. FLEMING: At this point I'm not aware of any.  
25 And I would like to point out that staff and FPL are proposing

1 a stipulation on all the issues, and those stipulations are  
2 reflected in Section IX and XII of the draft prehearing order.

3 COMMISSIONER ARRIAGA: Okay, thank you.

4 So we proceed now through the draft of the prehearing  
5 order, correct?

6 MS. FLEMING: Yes, Commissioner. And staff would  
7 suggest that you proceed through the draft prehearing order  
8 section-by-section.

9 COMMISSIONER ARRIAGA: Okay. So if there are no  
10 changes, please, would the parties indicate that there are no  
11 changes to make sure that it's stated in the record clearly?  
12 So I will go one-by-one as suggested by Staff.

13 Section I, conduct of proceedings.

14 MR. ANDERSON: No changes, Commissioner.

15 COMMISSIONER ARRIAGA: Staff?

16 MS. FLEMING: No changes.

17 COMMISSIONER ARRIAGA: Section II, case background.

18 MR. ANDERSON: No changes.

19 MS. FLEMING: No changes.

20 COMMISSIONER ARRIAGA: Section III, jurisdiction.

21 MR. ANDERSON: No changes.

22 MS. FLEMING: No changes.

23 COMMISSIONER ARRIAGA: Section IV, procedure for  
24 handling confidential information.

25 MR. ANDERSON: No changes.

1 MS. FLEMING: No changes.

2 COMMISSIONER ARRIAGA: Section V, post-hearing  
3 procedures.

4 MR. ANDERSON: No changes.

5 MS. FLEMING: No changes.

6 COMMISSIONER ARRIAGA: Section VI, prefiled testimony  
7 and exhibits; witnesses.

8 MR. ANDERSON: No changes.

9 MS. FLEMING: No changes.

10 COMMISSIONER ARRIAGA: Section VII, order of  
11 witnesses.

12 MR. ANDERSON: No changes.

13 MS. FLEMING: Staff would like to point out that in  
14 this section it states that witnesses may be excused if no  
15 Commissioner seeks cross-examination at the hearing.

16 At this time it appears that all witnesses can be  
17 excused, but staff will confirm with each of the Commissioners  
18 and will contact FPL by June 1st.

19 COMMISSIONER ARRIAGA: Okay, thank you.

20 Section VIII, basic positions.

21 MR. ANDERSON: No changes.

22 MS. FLEMING: No changes.

23 COMMISSIONER ARRIAGA: Section IX, issues and  
24 positions.

25 MR. ANDERSON: No changes.

1 MS. FLEMING: Staff would point out here that FPL and  
2 staff agree on all the issues, and all the issues are shown as  
3 proposed stipulations on Pages 7 through 12.

4 COMMISSIONER ARRIAGA: Thank you.

5 We now move to Section X, exhibit list.

6 MR. ANDERSON: No changes.

7 MS. FLEMING: Staff would note for the record that  
8 staff will prepare a Comprehensive Exhibit List consisting of  
9 all the prefiled exhibits, and each exhibit will be assigned a  
10 hearing number. This list will be provided to FPL either late  
11 this afternoon or tomorrow, and it will consist of all the  
12 exhibits on Pages 13 through 19 as well as any staff stipulated  
13 exhibits.

14 COMMISSIONER ARRIAGA: Thank you. Section XI,  
15 proposed stipulations.

16 MR. ANDERSON: No changes.

17 MS. FLEMING: Staff would note again, for the record,  
18 that there are proposed stipulations on Issues 1 through 13 as  
19 stated in the prehearing order.

20 COMMISSIONER ARRIAGA: Section XII, pending motions.

21 MR. ANDERSON: No changes, Commissioner.

22 MS. FLEMING: There are no pending motions.

23 COMMISSIONER ARRIAGA: Section XIII, pending  
24 confidentiality matters.

25 MR. ANDERSON: No changes.

1 MS. FLEMING: There are no pending confidentiality  
2 matters.

3 COMMISSIONER ARRIAGA: Section XIV, rulings.

4 MR. ANDERSON: No changes.

5 MS. FLEMING: Staff would suggest that if there are  
6 any opening statements at the hearing that they would be  
7 limited to ten minutes.

8 COMMISSIONER ARRIAGA: If there are no objections, so  
9 ordered. So now we go to other matters. Are there any other  
10 matters to address in this prehearing conference?

11 MS. FLEMING: Commissioner, I'm not aware of any  
12 other matters.

13 COMMISSIONER ARRIAGA: FPL?

14 MR. ANDERSON: Florida Power and Light would like to  
15 thank staff for their courtesy and efficiency with respect to  
16 this matter.

17 COMMISSIONER ARRIAGA: Okay. So if there are not any  
18 other matters, we are adjourned.

19 Thank you.

20 MS. FLEMING: Thank you.

21 (The prehearing concluded at 9:37 a.m.)  
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STATE OF FLORIDA )  
:  
COUNTY OF LEON )

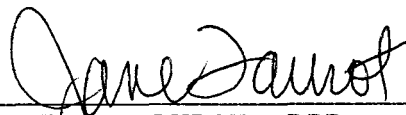
CERTIFICATE OF REPORTER

I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter Services, FPSC Division of Commission Clerk and Administrative Services, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 25th day of May, 2006.



\_\_\_\_\_  
JANE FAUROT, RPR  
Official FPSC Hearings Reporter  
FPSC Division of Commission Clerk and  
Administrative Services  
(850) 413-6732