

ORIGINAL

Matilda Sanders

From: Dana Greene [DanaG@hgslaw.com]
Sent: Wednesday, November 22, 2006 11:19 AM
To: Filings@psc.state.fl.us
Cc: ljacobs50@comcast.net; sbrownless@comcast.net; barmstrong@ngn-tally.com; psimms@nrdc.org; Jennifer Brubaker; Katherine Fleming; brett@wildlaw.org; jeanne@wildlaw.org
Subject: Docket 060635-EU

Attachments: Docket 060635 - Request for Oral Argument.pdf

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Docket
5 - Request for
Electronic Filing

a. Person responsible for this electronic filing:

Gary V. Perko
Hopping Green & Sams, P.A.
123 S. Calhoun Street
Tallahassee, FL 32301
1-850-425-2359
garyp@hgslaw.com

b. Docket No. 060635-EU

In re: Petition To Determine Need For an Electrical Power Plant in Taylor County

c. Document being filed on behalf of Florida Municipal Power Agency, JEA, Reedy Creek Improvement District and City of Tallahassee

d. There are a total of 3 pages.

e. The document attached for electronic filing is Request for Oral Argument on Motion to Strike

Thank you for your cooperation.

Dana Greene, Legal Assistant to
William H. Green, Gary V. Perko & Virginia C. Dailey Hopping Green & Sams, P.A.
123 South Calhoun Street
P.O. Box 6526
Tallahassee, Florida 32314
850-425-3437 (direct)
850-224-8551 (fax)
danag@hgslaw.com

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ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition to Determine Need for  
an Electrical Power Plant in Taylor  
County by Florida Municipal Power  
Agency, JEA, Reedy Creek  
Improvement District and City of  
Tallahassee

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Docket No. 060635-EU

Dated: November 22, 2006

**REQUEST FOR ORAL ARGUMENT  
ON MOTION TO STRIKE**

Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee ("Applicants"), by and through their undersigned attorneys, pursuant to Rule 25-22.058, Florida Administrative Code ("F.A.C."), hereby request the opportunity to present oral argument to the full Commission on their motion for an order striking several of the issues raised in the Petition to Intervene by the Natural Resources Defense Council, Inc. (the "NRDC Petition"). In support, the Applicants state:

1. By motion filed on this same date, the Applicants moved the Commission for an order striking several of the issues raised in the NRDC Petition. As explained in the Motion, several of the issues raised in the NRDC Petition are outside the jurisdiction of this Commission. Furthermore, interjection of the new and unprecedented issues raised in the NRDC Petition into an already technical and complex proceeding would have limited, if any, probative value in resolving the critical issues in this proceeding and would generate unnecessary discovery disputes and confusion over the issues in this proceeding.

2. The Applicants believe that oral argument on the important matters raised in their Motion will assist the Commission in its deliberations by providing a more complete presentation of

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the matters at issue. Oral argument will also provide the Commission with the opportunity to request clarification of the arguments presented, as necessary.

WHEREFORE, the Applicants respectfully request that the Commission schedule oral argument before the full Commission on their motion to strike certain of the issues raised in the NRDC Petition in this proceeding.

Respectfully submitted this 22nd day of November, 2006.

HOPPING GREEN & SAMS, P.A.

/s/ Gary V. Perko  
\_\_\_\_\_  
Gary V. Perko  
Carolyn S. Raeppe  
Virginia C. Dailey  
Hopping Green & Sams, P.A.  
123 S. Calhoun Street  
Tallahassee, FL 32314  
(850) 222-7500 (telephone)  
(850) 224-8551 (facsimile)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Applicants' Request for Oral Argument on the Applicants' Motion to Strike Certain Issues of Disputed Fact Raised in the NRDC Petition to Intervene in Docket No. 060635-EU was served upon the following by U.S. Mail and electronic mail(\*) on this 22nd day of November, 2006:

Brian P. Armstrong, Esq.\*  
7025 Lake Basin Road  
Tallahassee, FL 32312

Patrice L. Simms \*  
Natural Resources Defense Council  
1200 New York Ave., NW  
Suite 400  
Washington, DC 20005

Jennifer Brubaker, Esq.\*  
Katherine Fleming, Esq.\*  
Legal Division  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Suzanne Brownless \*  
Suzanne Brownless, P.A.  
Natural Resources Defense Council  
1975 Buford Blvd.  
Tallahassee, FL 32308

E. Leon Jacobs, Jr. \*  
Williams, Jacobs & Associates, LLC  
P.O. Box 1101  
Tallahassee, Florida 32302

Valerie Hubbard, Director  
Department of Community Affairs  
Division of Community Planning  
2555 Shumard Oak Blvd.  
Tallahassee, FL 32399-2100

Jeanne Zokovitch Paben\*  
Brett M. Paben  
WildLaw  
1415 Devils Dip  
Tallahassee, FL 32308-5140

Buck Oven  
Michael P. Halpin  
Department of Environmental Protection  
2600 Blairstone Road MS 48  
Tallahassee, FL 32301

/s/Gary V. Perko

Attorney