

Matilda Sanders

From: John\_Butler@fpl.com
Sent: Tuesday, January 16, 2007 11:23 AM
To: Filings@psc.state.fl.us
Cc: lwhitfield@northmiamifl.gov; Antonatos, Maria; Rosanne Gervasi
Subject: Electronic Filing for Docket No. 060198-EI -- FPL's Prehearing Statement

Attachments: prehearing statement for NM protest FINAL.doc



prehearing
statement for NM

John Butler

01/04/2007 11:47

"Antonatos, Maria"

AM

RGervasi@PSC.STATE.FL.US

060198-EI -- FPL's Notice of Taking

Terry Lytle(Document link: John Butler)

To: filings@psc.state.fl.us
cc: lwhitfield@northmiamifl.gov,

<mantonatos@northmiamifl.gov>,

Subject: Re: Electronic Filing for Docket No.
Deposition for City of North Miami witness

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Electronic Filing

a. Person responsible for this electronic filing:

John T. Butler
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5639
john\_butler@fpl.com

b. Docket No. 060198-EI

c. Document is being filed on behalf of Florida Power & Light Company.

d. There is a total of 5 pages.

e. The document attached for electronic filing is Florida Power & Light Company's Prehearing Statement.

(See attached file: prehearing statement for NM protest FINAL.doc)

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Requirement for investor-owned	)	
electric utilities to file ongoing	)	DOCKET NO. 060198-EI
storm preparedness plans and	)	FILED: January 16, 2007
<u>implementation cost estimates.</u>	)	

FLORIDA POWER & LIGHT COMPANY'S  
PREHEARING STATEMENT

Pursuant to Order No. PSC-06-0871-PCO-EI, issued October 23, 2006 establishing the prehearing procedure in this docket, Florida Power & Light Company, ("FPL") hereby submits its Prehearing Statement.

A. APPEARANCES

John T. Butler, Esquire  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
Telephone: 561-304-5639  
Facsimile: 561-691-7135

B. WITNESSES

WITNESS

MANUEL B. MIRANDA

WILLIAM R. SLAYMAKER

SUBJECT MATTER

Description of FPL's Vegetation Management Program and proposal for a 6 year average trim cycle for lateral distribution lines; explanation of why the 6 year lateral trim cycle proposal provides the best balance for FPL and its customers.

Description of FPL's vegetation management practices and compliance with applicable standards, guidelines and codes for line clearing; response to comments on vegetation management by City witnesses.

DOCUMENT NUMBER-DATE

00390 JAN 16 5

FPSC-COMMISSION CLERK

JOHN A. HARRIS

Description of vegetation management standards, guidelines and codes that apply to FPL's Vegetation Management Program; evaluation of FPL's compliance with those standards, guidelines and codes; and evaluation of overall adequacy of FPL's Vegetation Management Program

**C. EXHIBITS**

<u>EXHIBITS</u>	<u>WITNESS</u>	<u>DESCRIPTION</u>
MBM-1	MIRANDA	Cost analysis for trim cycle scenarios
MBM-2	MIRANDA	10-year present value cost analysis for trim cycle scenarios
JAH-1	HARRIS	Photographs of arboricultural work in City's public rights-of-way
JAH-2	HARRIS	Relevant pages of ANSI A-300 Standard
JAH-3	HARRIS	Relevant sections of Miami-Dade County Tree Preservation Code
JAH-4	HARRIS	Relevant sections of City of North Miami Landscape Standards and Tree Preservation Codes
JAH-5	HARRIS	Relevant pages of Best Management Practices (companion to ANSI A-300)

**D. STATEMENT OF BASIC POSITION**

FPL has proposed to implement a 3-year feeder/6-year lateral average trim cycle (the "3-year/6-year proposal") throughout its service territory. The 3-year/6-year proposal is appropriate for the City of North Miami, as it is for other parts of FPL's system, because it provides the best balance of costs, benefits and feasibility for FPL and its customers. The City has identified nothing that would make the 3-year/6-year proposal inappropriate or inapplicable within its boundaries.

**E. STATEMENT OF ISSUES AND POSITIONS**

**ISSUE 1:** Should Florida Power & Light Company establish a three-year cycle for its vegetation management program within the City of North Miami?

**FPL:** No. FPL has proposed to implement a 3-year feeder/6-year lateral average trim cycle (the "3-year/6-year proposal") throughout its service territory. The 3-year/6-year proposal is appropriate for the City of North Miami, as it is for other parts of FPL's system, because it provides the best balance of costs, benefits and feasibility for FPL and its customers. The City has identified nothing that would make the 3-year/6-year proposal inappropriate or inapplicable within its boundaries. (MIRANDA, SLAYMAKER and HARRIS)

**ISSUE 2:** Should the docket be closed?

**FPL:** If the docket is being held open solely for resolution of the City's protest petition, then it should be closed upon the issuance of a final order on that petition.

**F. STIPULATED ISSUES**

**FPL:** None at this time.

**G. PENDING MOTIONS**

**FPL:** FPL is aware of none at this time.

**H. PENDING REQUESTS FOR CONFIDENTIALITY**

**FPL:** FPL has no requests for confidentiality pending at this time.

**I. OBJECTIONS TO A WITNESS' QUALIFICATION AS AN EXPERT**

**FPL:** None at this time, pending conclusion of discovery.

**J. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE**

**FPL:** There are no requirements of the Order Establishing Procedure with which FPL cannot comply.

Respectfully submitted,

John T. Butler, Esq.  
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Law Department  
Florida Power & Light Company  
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Juno Beach, Florida 33408-0420  
Telephone: 561-304-5639  
Fax: 561-691-7135

By: s/s John T. Butler  
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**  
**Docket No. 060198-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished electronically this 16<sup>th</sup> day of January, 2007 to the following:

V. Lynn Whitfield, Esq.  
Maria E. Antonatos, Esq.  
Office of the City Attorney  
City of North Miami  
776 N.E. 125<sup>th</sup> Street  
North Miami, Florida 33161

Rosanne Gervasi, Esq.  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

By:           /s/ John T. Butler            
John T. Butler