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March 16, 2007

VIA HAND DELIVERY

COMMISSION
CLERK

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Blanca S. Bayo, Director
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0800

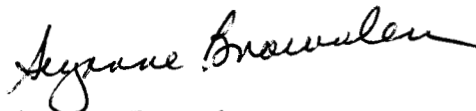
Re: Docket No. 060635-EU

Dear Ms. Bayo:

Attached please find the original and fifteen copies of the NRDC's Response to Applicant's Motion for Limited Reopening of Record and for Leave to File Supplemental Testimony to be filed in the above styled docket.

Should you have questions or need any additional information, please contact me.

Very truly yours,



Suzanne Brownless
Attorney for NRDC

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Determination of Need for electrical power plant in Taylor County by Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and the City of Tallahassee.

DOCKET NO. 060635-EU
FILED: March 15, 2007

COMMISSION
CLERK

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NRDC'S RESPONSE TO APPLICANTS' MOTION FOR LIMITED REOPENING OF RECORD AND FOR LEAVE TO FILE SUPPLEMENTAL TESTIMONY

Pursuant to Rule 28-106.204, Florida Administrative Code, the National Resources Defense Council (NRDC) files this Response to Applicants' Motion for Limited Reopening of Record and For Leave to File Supplemental Testimony (Motion) and in support thereof states as follows:

1. On March 9, 2007 the Applicants filed a Motion for Limited Reopening of Record and For Leave to File Supplemental Testimony, Supplemental Testimony of Myron Rollins and a cover letter waiving any applicable deadlines for Commission action under Rule 25-22.080, Florida Administrative Code.

2. NRDC agreed to the Motion on the following grounds:

a. That NRDC, and all other Interveners, would have an adequate opportunity to conduct discovery including written interrogatories, requests for production of documents and oral depositions;

b. That a prehearing order would be issued by the Commission which set discovery, rebuttal testimony, prehearing statements, trial, and post hearing brief dates; and

c. That a reasonable amount of time be given to accomplish all of the above.

3. NRDC would remind the Commission that the original time frame during which this need determination petition was litigated was very compressed in order to comply with the requirements of Rule 22.080, Florida Administrative Code. In order to comply with this expedited schedule, the undersigned rescheduled trials and hearings in other matters for the weeks after the post hearing briefs were due on January 24, 2007. These cases are being prepared for trial and being tried now.

4. The Applicants have waived whatever deadlines for Commission decision are applicable.

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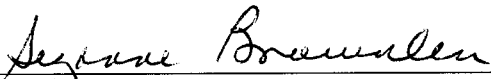
FPSC-COMMISSION CLERK

The undersigned is cognizant that the Commission can't simply accommodate NRDC's counsel's schedule. However, in this instance where there is a significant error in the record attributable solely to the Applicants, NRDC requests that all Interveners be consulted before the Commission develops the hearing schedule and sets procedural deadlines. Further, NRDC requests that the hearing date be set no sooner than 60 days from today's date.

5. Finally, NRDC urges the Commission to grant the Applicants' motion under the above conditions. The modeling errors identified by the Applicants are significant and by the Applicants' own admission decrease the cost effectiveness of the Taylor Energy Center (TEC) by at least \$53.9 million dollars. It is inconceivable that the Commission would move forward with a final decision in this docket in which the Commission is required by §403.519, Florida Statutes, to specifically decide whether TEC is the most cost-effective alternative available to satisfy the Applicants' electric energy and capacity needs, without a full vetting of this new information. This is not information which the Commission should consider outside of a full hearing process. NRDC would suggest that should the Commission chose to do so, the basic due process rights of all the parties to this case, Applicants' and Interveners' alike, would be severely violated.

WHEREFORE, NRDC requests that the Motion for Limited Reopening of Record and For Leave to File Supplemental Testimony be granted and that a procedural order be issued in accord with the timelines set forth above.

Respectfully submitted this 15th day of March, 2007 by:


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided by electronic mail as listed and U.S. Mail, this 15th day of March, 2007 to the following:

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