

only 1 page

STATE OF FLORIDA



RECEIVED
07 MAY -7 PM 3:32
COMMISSION
CLERK

PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

060198

TO: ~~George Adair, P.E.~~ *(*)*

Fax #: 6,15615861702



City of Lake Worth
Topics in the Tropics Information Line 561-586-1791

FROM: Records Fax Server

Where the Tropics Begin



Samy Faried, P.E. *(*)*
Utilities Director

RE:

1900 2nd Ave. North
Lake Worth, FL 33461
www.lakeworth.org

Office: 561-586-1665
Fax: 561-586-1702
sfaried@lakeworth.org

Note: This fax was generated by the Case Management System.

Multiple attempts will be made to fax this document. If all attempts fail, you will automatically be sent a copy of the document by U.S. Mail. You do not need to call to report a fax failure.

() PLEASE FIX RECORDS
to show NEW UTILITIES DIRECTOR,
SAMY FARIED, P.E. (*)*

*Done
5/7/07
5/15/07
cy to v: [unclear]*

Kimberley Pena

060198

From: BECK.CHARLES [BECK.CHARLES@leg.state.fl.us]
Sent: Thursday, April 05, 2007 8:37 AM
To: Records Clerk
Subject: FW: Substitution of Counsel

I would like to request that you substitute Charles J. Beck, Interim Public Counsel, for Harold McLean in any docket where Harold's name appears. Harold retired from the state on March 8.

Thanks. Please call me at 487-8240 if you have any questions.

Charlie Beck

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]
Sent: Wednesday, April 04, 2007 11:23 AM
To: BECK.CHARLES
Subject: RE: Substitution of Counsel

Mr. Beck, below is the list of active dockets in which OPC is a Party of Record or Interested person. I have included the names in the attention line for your convenience. If you would like to make changes to the attention line, please forward your request(s) to Clerk@psc.state.fl.us or you may fax it to 413-7118. Please let me know if I can be of any further help.

010492 Stephen C. Burgess
 010503 Stephen Burgess/Charles Beck
 041272 ✓Harold McLean/Patricia Christensen
 041441 ✓Harold McLean/Rick Mann
 050374 ✓H. McLean/C. Beck/P. Christensen
 050958 ✓Harold McLean/Patricia Christensen
 060038 ✓McLean/Beck/McGlothlin/Christensen
 060122 ✓Harold McLean/Stephen C. Reilly
 060162 ✓Harold McLean
 060198 ✓Harold McLean
 060253 ✓Harold McLean/Stephen Reilly
 060256 ✓Harold McLean/Stephen C. Reilly
 060257 ✓Harold McLean/Stephen C. Reilly
 060258 ✓Harold McLean/Stephen C. Reilly
 060260 ✓Harold McLean/Stephen Reilly
 060261 ✓Harold McLean/Stephen Reilly
 060262 ✓Harold McLean/Stephen Reilly
 060285 ✓Harold McLean/Stephen Reilly
 060300 ✓Harold McLean/Charles J. Beck
 060368 Stephen C. Reilly
 060598 ✓Harold McLean
 060606 ✓Harold McLean
 060638 ✓Harold McLean
 060644 ✓Harold McLean/Charles J. Beck
 060650 ✓Harold McLean/Patricia Christensen
 060658 P. Christensen/C. Beck/J. McGlothlin
 060677 ✓Harold McLean
 060700 ✓Harold McLean

*Done
 04/06/07
 kmf*

5/2007

060774 ✓Harold McLean
 060811 ✓Harold McLean/Patricia Christensen
 070001 C.Beck/P. Christensen/J.McGlothlin
 070002 C.Beck/P. Christensen/J.McGlothlin
 070003 ✓Harold McLean/Patricia Christensen
 070007 C.Beck/P. Christensen/J.McGlothlin
 070052 ✓H.McLean/P. Christensen/J.McGlothlin
 070098 Charles Beck
 070183 Stephen C. Reilly

Kim Peña
 Chief Deputy Commission Clerk

Office of the Commission Clerk
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, FL 32399-0850
 (850) 413-6770

From: BECK.CHARLES [mailto:BECK.CHARLES@leg.state.fl.us]
Sent: Wednesday, April 04, 2007 10:25 AM
To: Kimberley Pena
Subject: Substitution of Counsel

Kim, would you please send me a list of all pending dockets in which the Office of Public Counsel has intervened?

Thanks.

Charlie Beck

Charles J. Beck
 Interim Public Counsel

Office of Public Counsel
 11 West Madison Street, #812
 Tallahassee, FL 32399-1400

tel: 850-487-8240
 fax: 850-488-4491
 email: beck.charles@leg.state.fl.us

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

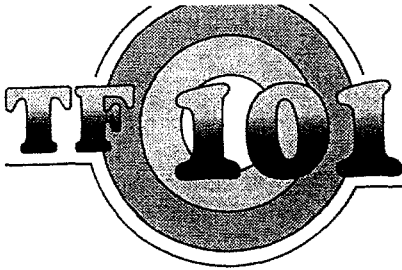
RECEIVED P. 180
JAN 31 PM 3 38
COMMISSION
CLERK

DATE: January 31, 2007
TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director
FROM: Roberta S. Bass, Assistant to Chairman Edgar *Rob*
RE: Correspondence from North Miami Mayor's Economic Task Force Received in Docket No. 060198-EI

Please place the attached correspondence in the above referenced docket. If you have any questions about this request, please call me.

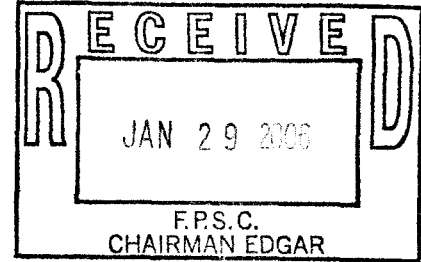
Attachment

cc: Manuel Arisso
William Garner
Jeremy Susac
Ralph Lair
Mary Anne Helton



North Miami
Mayor's Economic Task Force

Lisa Polak -Edgar, Chair
Florida Public Service commission
2540 Shumard Oak Blvd
Tallahassee, Fl., 32399-0850



Dear Lisa Polak-Edgar,

I am writing to you as two persons: Disaster Board Chair City of North Miami and North Miami Mayor's Economic Task Force President for 14 years and one of the founders 27 years ago.

I am happy to hear representatives from our City are to appear before your Board. January of 2005 I had a special workshop at City Hall Chambers regarding the terrible condition of the FPL lines, transformer pots, tree trimming neglect, pole rot etc!

There is a 40 foot royal palm behind my line in back of my a few feet from the transformer which feeds hundred of homes in my neighbourhood. Hurricane Andrew sent the huge palm frond at least 15 foot long against the transformer and it removed the loops on the transformer and we were without power for 3 weeks.

Now Wilma came and a frond sailed right through the pool porch screens. Came Ernesto Hurricane and the pole shifted again as it did with Hurricane Wilma. That October ;26 right by Halloween had 330 lines laying on the ground between my house and Sereda Brown for 2 weeks. I kept calling that our children in the neighbourhood would be running around for Halloween. I got no response to correct the situation.

Hurricane Ernesto the pole shifted again and two 220 lines slowly came floating down again on by my pool door and one by the security light and aluminum window of my neighbour Sereda Bron. I kept calling FPL and no help. The crew would come and say help will com. Finally a Supervisor Sebastian came and said not only did the 220 lines need to be raised but the one by Sereda Brwon's house was not in good shaped.

I do not want transmission lines to go through NE 135St North Miami. With a poor track record of maintenance of the lines and transformer pots why would we trust them? The liens hum and if we can hear that what it could do to our health is a question.

How could you have allowed a 6 year tree trimming by FPL. They have made a mess of the quality of Life of our Citizens and for those in poor health and elderly they have created havoc on us.

As a Council member of the Senior Citizen Advisory I am so angry when the lights go out. The condos cannot open their electric doors to get the North Miami Senior Foundation meals on wheels. Toilets don't flush without water being pumped up stairs Lights out, no AC.

Enough already . Please sit FPL and put some community back into their agenda.

Sincerely,

Myrna Pavilack President
470 NE 142 Street, North Miami, Florida, 33161

1/26/07

Kay Flynn

060198-EI

From: Filings@psc.state.fl.us
Sent: Tuesday, December 19, 2006 7:55 AM
To: 'Antonatos, Maria'; Filings@psc.state.fl.us
Cc: Rosanne Gervasi; Timolyn Henry; Matilda Sanders; Kimberley Pena
Subject: RE: Docket No. 060198-EI. City's response to FPL's request for production of documents.

Ms. Antonatos, the documents attached your e-mail were 126 pages, 29 pages, and 112 pages in length. The PSC accepts e-filings of no more than 100 pages. Further, the documents are responses to discovery requests and as such should not be filed with the Division of the Commission Clerk and Administrative Services. They should be sent directly to the PSC attorney. We require only a certificate of service of responses for the docket file.

We will not treat your submission as a filing, but will instead forward it to Rosanne Gervasi for proper handling.

Please let me know if any questions.

Kay Flynn
CCA - Records
FPSC
850-413-6744
kflynn@psc.state.fl.us

From: Antonatos, Maria [mailto:mantonatos@northmiamifl.gov]
Sent: Monday, December 18, 2006 4:45 PM
To: Filings@psc.state.fl.us
Cc: Rosanne Gervasi
Subject: Docket No. 060198-EI. City's response to FPL's request for production of documents.

December 18, 2006
<<citysResponsetoFPLRequestforProd1-10 (Part I).12.18.06.pdf>>
<<citysResponsetoFPLRequestforProd1-10-002.12.18.06.pdf>> <<citysResponsetoFPLRequestforProd1-10-003.pdf>>

Dear PSC Clerk,

Re: Docket No. 060198-EI.

Attached hereto is the City's Production of Documents in response to FPL's request for production. The PSC attorney assigned to this matter is Roseanne Gervasi, Esq.

Sincerely,

Maria E. Antonatos
Assistant City Attorney

CITY OF NORTH MIAMI
Office of the City Attorney

12/19/2006

776 N.E. 125 Street

North Miami, FL 33161

Phone: (305) 895-9810, ext. 12112

Facsimile: (305) 895-7029

E-Mail: antonatos@northmiamifl.gov

Website: <http://www.northmiamifl.gov>

City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

Kay Flynn

060198-EI

From: Filings@psc.state.fl.us
Sent: Tuesday, December 19, 2006 8:01 AM
To: Rosanne Gervasi
Cc: Timolyn Henry; Matilda Sanders
Subject: FW: Docket No. 060198-EI. City's response to FPL's request for production of documents.
Attachments: citysResponsetoFPLRequestforProd1-10 (Part I).12.18.06.pdf; citysResponsetoFPLRequestforProd1-10-002.12.18.06.pdf; citysResponsetoFPLRequestforProd1-10-003.pdf

Rosanne, I'm forwarding this e-mail to you as I indicated in the other e-mail to Ms. Antonatos. The documents were also printed here yesterday before it was realized what the filings were and how lengthy they were. We'll put the copies in interoffice mail to you this morning.

Kay

From: Antonatos, Maria [mailto:mantonatos@northmiamifl.gov]
Sent: Monday, December 18, 2006 4:45 PM
To: Filings@psc.state.fl.us
Cc: Rosanne Gervasi
Subject: Docket No. 060198-EI. City's response to FPL's request for production of documents.

December 18, 2006
<<citysResponsetoFPLRequestforProd1-10 (Part I).12.18.06.pdf>>
<<citysResponsetoFPLRequestforProd1-10-002.12.18.06.pdf>> <<citysResponsetoFPLRequestforProd1-10-003.pdf>>

Dear PSC Clerk,

Re: Docket No. 060198-EI.

Attached hereto is the City's Production of Documents in response to FPL's request for production. The PSC attorney assigned to this matter is Roseanne Gervasi, Esq.

Sincerely,

Maria E. Antonatos
Assistant City Attorney

CITY OF NORTH MIAMI
Office of the City Attorney
776 N.E. 125 Street
North Miami, FL 33161
Phone: (305) 895-9810, ext. 12112
Facsimile: (305) 895-7029
E-Mail: mantonatos@northmiamifl.gov
Website: <http://www.northmiamifl.gov>

City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

12/19/2006

Matilda Sanders

CORRESPONDENCE

From: Antonatos, Maria [mantonatos@northmiamifl.gov]
Sent: Monday, November 27, 2006 3:28 PM
To: Filings@psc.state.fl.us
Subject: RE: Docket No. 060198-EI

11/27/06 (3:28 pm)

Ms. Sanders,

Thank you. Yes, I see it clearly in 'Miscellaneous' now. In fact, another PSC clerk, Kay Flynn advised me of some BUT some items (duplicates, I guess, in light of the fact that I e-filed) went out in the U.S. Mail before I found out.

I am sorry,

Yours truly,

Maria E. Antonatos
Assistant City Attorney

CITY OF NORTH MIAMI
Office of the City Attorney
776 N.E. 125 Street
North Miami, FL 33161
Phone: (305) 895-9810, ext. 12112
Facsimile: (305) 895-7029
E-Mail: mantonatos@northmiamifl.gov
Website: <http://www.northmiamifl.gov>

City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

From: Filings@psc.state.fl.us [mailto:Filings@PSC.STATE.FL.US]
Sent: Monday, November 27, 2006 11:37 AM
To: Antonatos, Maria
Cc: Matilda Sanders
Subject: Docket No. 060198-EI

Ms. Antonatos, we received by U.S. mail this morning the Original and copies of the Notice of filing testimony and sworn statements of both Keith Miller and Terry Lytle w/exhs. in this Rule docket that you had already submitted electronically on 11/21/06.

If you file electronically, you are not required to follow the e-filing with a hard copy.

To avoid a duplication of filings in Docket 060198, we will not record the hard copies you submitted today. I will however place a copy of this e-mail, and the first page of the filings that has your Original signature on it, on the correspondence side of the docket file.

With the previous email below that Kay Flynn sent you on 11/22/06, and your reply, probably these already were mailed before 11/27/2006

you found out about not sending the Original and the copies.

I've included the e-filing address below where you can find the instructions, also, just the "Miscellaneous" section with some of the notes that might be helpful.

Please let me know if you have any questions about this e-mail or concerning any of our filing requirements.

Matilda Sanders
FPSC - CCA/Records
850-413-6752

<http://www.floridapsc.com/dockets/e-filings/>

Miscellaneous

- If a document is filed electronically, no paper copies are required to be filed.
- The party filing a document remains responsible for serving the document in accordance with applicable rules and orders, including service on the appropriate Commission attorney.
- If a document is electronically filed in PDF format, the party submitting the filing remains responsible for compliance with any applicable provisions of Rule 25-22.028(1), F.A.C., relating to submission of the document on diskette in word processing or spreadsheet format.

From: Antonatos, Maria [mailto:]

Sent: Wednesday, November 22, 2006 11:13 AM

To: **Subject:** RE: Discovery filings attached for Docket No. 060198-EI Before the Florida Public Service Commission.

11/22/06

Good morning Kay Flynn,

OK, thank you Ms. Flynn for the information. It is good to know that I don't need to send 15 hardcopies of items that I e-file. You have a wonderful Thanksgiving as well.

Sincerely yours,

Maria E. Antonatos
City of North Miami- City Attorney's Office

From: Filings@psc.state.fl.us [mailto:Filings@PSC.STATE.FL.US]

Sent: Wed 11/22/2006 10:04 AM

To: Antonatos, Maria

Cc: Rosanne Gervasi; Matilda Sanders; Kimberley Pena; Timolyn Henry

Subject: RE: Discovery filings attached for Docket No. 060198-EI Before the Florida Public Service Commission.

Ms. Antonatos, we received by U.S. mail this morning copies of the notice of serving interrogatories and petitioner's request for production that you had already submitted electronically on Friday 11/17/06.

If you file electronically, you are not required to follow the e-filing with a hard copy.

For notices of service related to discovery, if you file by hard copy, we (Commission Clerk & Administrative Services) require only the original and one copy.

11/27/2006

To avoid a duplication of filings in Docket 060198, we will not record the hard copies you submitted today. I will however place a copy of this e-mail and the note you attached to the mailed copies on the correspondence side of the docket file.

Please let me know if you have any questions about this e-mail or concerning any of our filing requirements.

Thank you, and have a wonderful Thanksgiving.

Kay Flynn
FPSC - CCA/Records
850-413-6744
kflynn@psc.state.fl.us

From: Antonatos, Maria [mailto:mantonatos@northmiamifl.gov]
Sent: Friday, November 17, 2006 9:21 AM
To: Filings@psc.state.fl.us
Cc: Rosanne Gervasi
Subject: Discovery filings attached for Docket No. 060198-EI Before the Florida Public Service Commission.
Importance: High

11/17/2006 (9:20 am) <<Not of SERVING Rogs (to PSC).10.30.06.doc>> <<PSC (Public Service Commission) REQUEST FOR PRODUCTION.doc>>

Good morning PSC clerk:

Attached hereto are the discovery items which the City of North Miami is propounding on Florida Power and Light in the above-referenced PSC docket number. The PSC attorney assigned to this matter is Rosanne Gervasi, Esq.

Sincerely yours,

Maria E. Antonatos
Assistant City Attorney

CITY OF NORTH MIAMI
Office of the City Attorney
776 N.E. 125 Street
North Miami, FL 33161
Phone: (305) 895-9810, ext. 12112
Facsimile: (305) 895-7029
E-Mail: mantonatos@northmiamifl.gov
Website: <http://www.northmiamifl.gov>

City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

The City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail

11/27/2006

sent and received is captured by [REDACTED] servers and kept as a public record [REDACTED]

ORIGINAL

DISTRIBUTION CENTER
RECEIVED
06 NOV 27 06 NOV 27 AM 9:08
7:42
COMMISSION
CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

The City of North Miami, a municipal corporation, Petitioner.

In re: Requirement for investor-owned electric Utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0781-PAA-EI
ISSUED: September 19, 2006

NOTICE OF FILING PREFILED
TESTIMONY OF KEITH MILLER AND EXHIBITS

Petitioner, the City of North Miami ("the City"), a Florida municipal corporation, by and through its undersigned counsel, files this Notice of Filing Prefiled Testimony the City intends to sponsor.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail and electronic mail on this 21st day of November, 2006 to: John T. Butler, Esq., FPL, 700 Universe Blvd., Juno Beach, Florida 33408-0420 and to Rosanne Gervasi, Esq., Office of the General Counsel, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

V. LYNN WHITFIELD
CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
CITY OF NORTH MIAMI
776 N.E. 125th Street
North Miami, FL 33161
Telephone: (305) 893-6511

By: *Maria E. Antonatos*
MARIA E. ANTONATOS
ASSISTANT CITY ATTORNEY
FLORIDA BAR NO.: 0173071

RECEIVED & FILED

PSC-BUREAU OF RECORDS

ORIGINAL

RECEIVED-PASC

06 NOV 27 AM 9:08

BEFORE THE PUBLIC SERVICE COMMISSION

COMMISSION
CLERK

The City of North Miami, a municipal corporation, Petitioner.

In re: Requirement for investor-owned electric Utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0781-PAA-EI
ISSUED: September 19, 2006

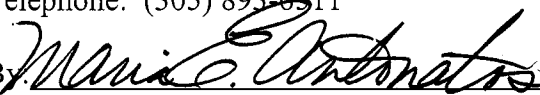
NOTICE OF FILING PREFILED
TESTIMONY OF TERRY LYTLER AND EXHIBITS

Petitioner, the City of North Miami ("the City"), a Florida municipal corporation, by and through its undersigned counsel, files this Notice of Filing Prefiled Testimony the City intends to sponsor.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail and electronic mail on this 21st day of November, 2006 to: John T. Butler, Esq., FPL, 700 Universe Blvd., Juno Beach, Florida 33408-0420 and to Rosanne Gervasi, Esq., Office of the General Counsel, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

V. LYNN WHITFIELD
CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
CITY OF NORTH MIAMI
776 N.E. 125th Street
North Miami, FL 33161
Telephone: (305) 893-6511

By: 
MARIA E. ANTONATOS
ASSISTANT CITY ATTORNEY
FLORIDA BAR NO.: 0173071

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

RECEIVED FPSC

06 NOV 27 AM 8:58

COMMISSION
CLERK

November 22, 2006

Ms. Kim Pena
Division of Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 060198-EI

Dear Ms. Pena:

Please substitute Paula K. Brown in place of Brenda Irizarry as the in-house Tampa Electric contact person in the above docket. Paula's contact information is as follows:

Name: Paula K. Brown
Phone: (813) 228-1444
Fax: (813) 228-1770
Email: regdept@tecoenergy.com

By copy of this letter we request that all parties of record to the above docket likewise substitute Ms. Brown in place of Ms. Irizarry as the in-house Tampa Electric recipient of all future pleadings, notices, correspondence or other communications in this docket.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/pp

cc: All parties of record
J. Denise Jordan
Paula K. Brown

*Done
11/29/06
KMP*

Kay Flynn

060198-EI

From: Filings@psc.state.fl.us
Sent: Wednesday, November 22, 2006 10:04 AM
To: 'Antonatos, Maria'
Cc: Rosanne Gervasi; Matilda Sanders; Kimberley Pena; Timolyn Henry
Subject: RE: Discovery filings attached for Docket No. 060198-EI Before the Florida Public Service Commission.

Ms. Antonatos, we received by U.S. mail this morning copies of the notice of serving interrogatories and petitioner's request for production that you had already submitted electronically on Friday 11/17/06.

If you file electronically, you are not required to follow the e-filing with a hard copy.

For notices of service related to discovery, if you file by hard copy, we (Commission Clerk & Administrative Services) require only the original and one copy.

To avoid a duplication of filings in Docket 060198, we will not record the hard copies you submitted today. I will however place a copy of this e-mail and the note you attached to the mailed copies on the correspondence side of the docket file.

Please let me know if you have any questions about this e-mail or concerning any of our filing requirements.

Thank you, and have a wonderful Thanksgiving.

Kay Flynn
 FPSC - CCA/Records
 850-413-6744
kflynn@psc.state.fl.us

11/20/06
To PSC:
Because the PSC
requires fifteen (15)
copies, please find fifteen
(15) copies of both
the City's Discovery Items
(previously filed) enclosed.
Sincerely, Maria Antonatos

From: Antonatos, Maria [mailto:mantonatos@northmiamifl.gov]
Sent: Friday, November 17, 2006 9:21 AM
To: Filings@psc.state.fl.us
Cc: Rosanne Gervasi
Subject: Discovery filings attached for Docket No. 060198-EI Before the Florida
Importance: High

11/17/2006 (9:20 am) <<Not of SERVING Rogs (to PSC).10.30.06.doc>> <<PSC (Public Service Commission) REQUEST FOR PRODUCTION.doc>>

Good morning PSC clerk:

Attached hereto are the discovery items which the City of North Miami is propounding on Florida Power and Light in the above-referenced PSC docket number. The PSC attorney assigned to this matter is Rosanne Gervasi, Esq.

Sincerely yours,

Maria E. Antonatos
Assistant City Attorney

11/22/2006

CITY OF NORTH MIAMI
Office of the City Attorney
776 N.E. 125 Street
North Miami, FL 33161
Phone: (305) 895-9810, ext. 12112
Facsimile: (305) 895-7029
E-Mail: mantonatos@northmiamifl.gov
Website: <http://www.northmiamifl.gov>

City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

The City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

COPY
05 NOV 22 AM 9:08

The City of North Miami, a municipal corporation, Petitioner.

In re: Requirement for investor-owned electric Utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0781-PAA-EI
ISSUED: September 19, 2006
FLORIDA BAR NO.: 0173071

COMMISSION
CLERK

NOTICE OF SERVING INTERROGATORIES

COMES NOW the Petitioner, CITY OF NORTH MIAMI, by and through its undersigned attorney, and hereby propounds the attached interrogatories to FPL to be answered under oath and within twenty (20) days as set forth in the PSC "Order Establishing Procedure" in accordance with Rules 25-22, 25-40, and 28-106, Florida Administrative Code and the Florida Rules of Civil Procedure (as applicable).

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail and electronic mail on this 17 day of November, 2006 to: John T. Butler, Esq., FPL, 700 Universe Blvd., Juno Beach, Florida 33408-0420 and to Rosanne Gervasi, Esq., Office of the General Counsel, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Respectfully submitted,

V. LYNN WHITFIELD
CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
CITY OF NORTH MIAMI
776 N.E. 125th Street
North Miami, FL 33161
Telephone: (305) 893-6511

By: Maria E. Antonatos
MARIA E. ANTONATOS
ASSISTANT CITY ATTORNEY
FLORIDA BAR NO. 0173071

DISTRIBUTION CENTER

05 NOV 22 AM 8:32

COPY

05 NOV 22 AM 9:08

The City of North Miami, a municipal corporation, Petitioner.

In re: Requirement for investor-owned electric Utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EL
ORDER NO. PSC-060178-PAA-EI
ISSUED: September 19, 2006
FLORIDA BAR NO.: 0173071

PETITIONER'S REQUEST FOR PRODUCTION

Pursuant to Rules 25-22, 25-40, and 28-106, Florida Administrative Code and the Florida Rules of Civil Procedure (as applicable), Petitioner, the CITY OF NORTH MIAMI, by and through its undersigned attorney, requests that FPL, the Respondent, produce those documents and items enumerated below within twenty (20) days as set forth in the PSC "Order Establishing Procedure" and in accordance with said Rules.

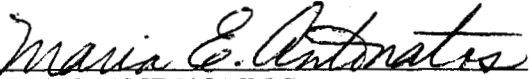
1. Actuarial reports prepared for FPL that are related to North Miami tree-trimming after December 31, 2003?
2. A copy of a quantitative analysis FPL made of the costs associated with more frequent trimming compared to estimated benefits of reduced storm restoration costs due to avoided storm outages and supporting data.
3. FPL's 10-year total cost analysis demonstrating that its proposed alternative is more cost effective.
4. Copies of any and all correspondence signed by you or your attorneys with regards to studies of tree trimming cycles in North Miami.
5. Produce copies of all correspondence addressed by you or your agents to the Petitioner, CITY OF NORTH MIAMI; for each item please indicate the date mailed and whether mailed by regular U.S. Mail, certified mail or by any other type of mail process (including copies of said proof of mailing).
6. Any and all exhibits accompanying all of the above.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail and electronic mail on this 17 day of November, 2006 to: John T. Butler, Esq., FPL, 700 Universe Blvd., Juno Beach, Florida 33408-0420 and to Rosanne Gervasi, Esq., Office of the General Counsel, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Respectfully submitted,

V. LYNN WHITFIELD
CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
CITY OF NORTH MIAMI
776 N.E. 125th Street
North Miami, FL 33161
Telephone: (305) 893-6511

By: 
MARIA E. ANTONATOS
ASSISTANT CITY ATTORNEY
FLORIDA BAR NO. 0173071

****CCA OFFICIAL DOCUMENT...**b>**

Kimberley Pena

From: Kimberley Pena
Sent: Wednesday, October 11, 2006 7:50 AM
To: Rosanne Gervasi
Subject: RE: Dkt 060198

PARTIES

Per this e-mail, we will do so. Thank you.

-----Original Message-----

From: Rosanne Gervasi
Sent: Tuesday, October 10, 2006 5:03 PM
To: Kimberley Pena
Subject: RE: Dkt 060198

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>09115-07</u>		
DISTRIBUTION: _____		

Kim yes please do make them a Party of Record, thanks.

-----Original Message-----

From: Kimberley Pena
Sent: Tuesday, October 10, 2006 5:02 PM
To: Rosanne Gervasi
Subject: Dkt 060198
Importance: High

Rosanne, we have received 3 petitions from the City of North Miami requesting Hearing. Please let me know if and when I should mark them as Party of Record.

*Done
10/11/06
KMP*



City of North Miami

776 Northeast 125th Street, P.O. Box 619085, North Miami, Florida 33261-9085

RECEIVED-FPSC
06 OCT -6 PM 2:39

(305) 893-6511

COMMISSION
CLERK

V. Lynn Whitfield
City Attorney

October 6, 2006

Director
Division of the Commission Clerk and Administrative Services
Public Service Commission (PSC)
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

060198-E1

Re: City of North Miami's enclosed Petition of Order No. PSC-06-0781-PAA-EI.

Dear Commission Clerk Director:

Enclosed please find the City of North Miami's Petition to the above-referenced proposed agency action Order and a copy. Please file the Petition and advise whether the requested Section 120.569 hearing is granted. If possible, please send the copy back to me, showing the date on which it was received by the PSC, via U.S. Mail using the postage paid, self-addressed envelope I am also providing herein

Respectfully,

MARIA E. ANTONATOS
Acting Assistant City Attorney

:ma

Enclosures

BEFORE THE PUBLIC SERVICE COMMISSION

The City of North Miami, a municipal corporation, Petitioner.

In re: Requirement for investor-owned electric Utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0781-PAA-EI
ISSUED: September 19, 2006

PETITION REQUESTING A SECTION 120.569 HEARING

PLEASE TAKE NOTICE that the City of North Miami, Miami-Dade, Florida ("the City"), petitions this administrative agency for review of its September 19, 2006 ADMINISTRATIVE ORDER NO. PSC-06-0781-PAA-EI. The City contends that with regard to the findings made by the Commission as to Florida Power and Light ("FPL") in connection with frequency of required tree trimmings that the Commission erred. The City has a substantial interest in the frequency of tree trimmings to be performed within its boundaries. The City is the fifth largest city in Miami-Dade County and has a substantial interest in reducing Customer Interruptions (CI) due to power outages attributed to overgrown vegetation. This is especially true as this is a hurricane prone area with significant foliage. As a matter of fact, the City of North Miami is an area where trees are encouraged and are also protected from destruction. It is significant to note that the City has been "registered" as a Tree City with Tree City USA for the past sixteen years. We are known for our tree lined streets and medians. And the City's Parks and Recreation Department maintains more than 18,000 trees City wide, 15,000 of them being swale or median trees. These trees are important to our environment and are a valuable City asset of over Ten Million Dollars (\$10,000,000.00). Often these trees are located close to power lines and therefore need to be maintained as not to interfere in the service provided. A six year maintain schedule would allow for substantial growth to occur without maintenance.

The Petitioner received notice of the above-referenced agency action by a written Notice of Proposed Agency Action Order received from the agency on or about September 26, 2006.

The City does not concur with the agency's conclusion that FPL's "alternative," as it relates to frequency of tree trimmings by the FPL, is "better" insofar as the FPL plan calls for "a phased-in approach to transition from the current vegetation management program to the three-year program." While FPL's plan could be appropriate for North Florida, the City would dispute FPL's implication that a six-year tree trimming plan would be appropriate for the South Florida municipality of North Miami, especially given the correlation between the storm-related Customer Interruptions (CI) and the frequency of the trim cycles. Specifically, FPL's analysis is "based on various assumptions" that are far too speculative and furthermore FPL has a stake in keeping its costs low. Table 1 in the Order entitled "Summary of Vegetation Management Options Considered by FPL" begs the question of whether FPL considered any other relevant factors. The City contends that the alternative plan set forth by FPL, while rich with data, is actually

“worse” in terms of *overall* costs and reliability in preparing South Florida for future storms where the standard is “equivalent to or better than a three-year trim cycle.”

FPL provided its estimate that cost per avoided storm CI would be approximately \$129 for its alternative under a combined 3-year feeder cycle and 6-year Lateral cycle) and further asserted that any moneys spent by it above the \$129 would produce only a diminishing return to strongly suggest that it is simply not feasible to spend more than the \$129 per avoidance in costs. The chart itself erroneously leads one to believe that if as much as \$280 in costs were incurred by FPL under a solely 3-year cycle for all distribution circuits that the incremental number of CI's avoided diminishes in proportion to the money spent. This argument is further weakened by the fact that FPL, by urging this agency to make a finding derived exclusively from the results of a cost benefit analysis, fails to distinguish between different circuits. For instance, the vegetation and foliage in South Florida is markedly different from that which exists in North Florida. In fact, even in good weather Palm Trees must be trimmed and maintained on a regular basis. The City suggests that trees in North Miami should be trimmed more regularly than on a six-year cycle. It is questionable as to whether any real support exists for the estimates appearing on the chart (Table 1).


Implementing this Order would not only maintain the danger of outages during storms but would also hamper storm recovery to the residents, businesses, and government located in North Miami, Florida. Respectfully, the City of North Miami requests a hearing on this matter.

WHEREFORE, the City of North Miami, an interested party pursuant to Fla. ADC 25-22.029(3) prays for relief from this Honorable Agency in the form of an amended order requiring three-year tree trimming cycles by FPL in North Miami.

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail on this 6th day of October, 2006 to: the Director, Division of the Commission Clerk and Administrative Services/Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Respectfully submitted,

V. LYNN WHITFIELD
CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
CITY OF NORTH MIAMI
776 N.E. 125th Street
North Miami, FL 33161
Telephone: (305) 893-6511

By: 
MARIA E. ANTONATOS
ACTING ASSISTANT CITY ATTORNEY
FLORIDA BAR NO. 0173071



City of North Miami

776 Northeast 125th Street, P.O. Box 819085, North Miami, Florida 33261-9085

(305) 893-6511

V. Lynn Whitfield
City Attorney

October 6, 2006

Director
Division of the Commission Clerk and Administrative Services
Public Service Commission (PSC)
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: City of North Miami's enclosed Petition of Order No. PSC-06-0781-PAA-EI.

Dear Commission Clerk Director:

Enclosed please find the City of North Miami's Petition to the above-referenced proposed agency action Order and a copy. Please file the Petition and advise whether the requested Section 120.569 hearing is granted. If possible, please send the copy back to me, showing the date on which it was received by the PSC, via U.S. Mail using the postage paid, self-addressed envelope I am also providing herein.

Respectfully,

A handwritten signature in cursive script that reads "Maria E. Antonatos".

MARIA E. ANTONATOS
Acting Assistant City Attorney

:ma

Enclosures

BEFORE THE PUBLIC SERVICE COMMISSION

The City of North Miami, a municipal corporation, Petitioner.

In re: Requirement for investor-owned electric Utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0781-PAA-EI
ISSUED: September 19, 2006

PETITION REQUESTING A SECTION 120.569 HEARING

PLEASE TAKE NOTICE that the City of North Miami, Miami-Dade, Florida ("the City"), petitions this administrative agency for review of its September 19, 2006 ADMINISTRATIVE ORDER NO. PSC-06-0781-PAA-EI. The City contends that with regard to the findings made by the Commission as to Florida Power and Light ("FPL") in connection with frequency of required tree trimmings that the Commission erred. The City has a substantial interest in the frequency of tree trimmings to be performed within its boundaries. The City is the fifth largest city in Miami-Dade County and has a substantial interest in reducing Customer Interruptions (CI) due to power outages attributed to overgrown vegetation. This is especially true as this is a hurricane prone area with significant foliage. As a matter of fact, the City of North Miami is an area where trees are encouraged and are also protected from destruction. It is significant to note that the City has been "registered" as a Tree City with Tree City USA for the past sixteen years. We are known for our tree lined streets and medians. And the City's Parks and Recreation Department maintains more than 18,000 trees City wide, 15,000 of them being swale or median trees. These trees are important to our environment and are a valuable City asset of over Ten Million Dollars (\$10,000,000.00). Often these trees are located close to power lines and therefore need to be maintained as not to interfere in the service provided. A six year maintain schedule would allow for substantial growth to occur without maintenance.

The Petitioner received notice of the above-referenced agency action by a written Notice of Proposed Agency Action Order received from the agency on or about September 26, 2006.

The City does not concur with the agency's conclusion that FPL's "alternative," as it relates to frequency of tree trimmings by the FPL, is "better" insofar as the FPL plan calls for "a phased-in approach to transition from the current vegetation management program to the three-year program." While FPL's plan could be appropriate for North Florida, the City would dispute FPL's implication that a six-year tree trimming plan would be appropriate for the South Florida municipality of North Miami, especially given the correlation between the storm-related Customer Interruptions (CI) and the frequency of the trim cycles. Specifically, FPL's analysis is "based on various assumptions" that are far too speculative and furthermore FPL has a stake in keeping its costs low. Table 1 in the Order entitled "Summary of Vegetation Management Options Considered by FPL" begs the question of whether FPL considered any other relevant factors. The City contends that the alternative plan set forth by FPL, while rich with data, is actually

"worse" in terms of *overall* costs and reliability in preparing South Florida for future storms where the standard is "equivalent to or better than a three-year trim cycle."

FPL provided its estimate that cost per avoided storm CI would be approximately \$129 for its alternative under a combined 3-year feeder cycle and 6-year Lateral cycle) and further asserted that any moneys spent by it above the \$129 would produce only a diminishing return to strongly suggest that it is simply not feasible to spend more than the \$129 per avoidance in costs. The chart itself erroneously leads one to believe that if as much as \$280 in costs were incurred by FPL under a solely 3-year cycle for all distribution circuits that the incremental number of CI's avoided diminishes in proportion to the money spent. This argument is further weakened by the fact that FPL, by urging this agency to make a finding derived exclusively from the results of a cost benefit analysis, fails to distinguish between different circuits. For instance, the vegetation and foliage in South Florida is markedly different from that which exists in North Florida. In fact, even in good weather Palm Trees must be trimmed and maintained on a regular basis. The City suggests that trees in North Miami should be trimmed more regularly than on a six-year cycle. It is questionable as to whether any real support exists for the estimates appearing on the chart (Table 1).

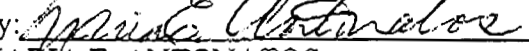
Implementing this Order would not only maintain the danger of outages during storms but would also hamper storm recovery to the residents, businesses, and government located in North Miami, Florida. Respectfully, the City of North Miami requests a hearing on this matter.

WHEREFORE, the City of North Miami, an interested party pursuant to Fla. ADC 25-22.029(3) prays for relief from this Honorable Agency in the form of an amended order requiring three-year tree trimming cycles by FPL in North Miami.

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail on this 6th day of October, 2006 to: the Director, Division of the Commission Clerk and Administrative Services/Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Respectfully submitted,

V. LYNN WHITFIELD
CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
CITY OF NORTH MIAMI
776 N.E. 125th Street
North Miami, FL 33161
Telephone: (305) 893-6511

By: 
MARIA E. ANTONATOS
ACTING ASSISTANT CITY ATTORNEY
FLORIDA BAR NO. 0173071

Ruth Nettles

From: S. Denise Hill [dhill@publicpower.com]
Sent: Friday, August 18, 2006 9:49 AM
To: Ruth Nettles
Subject: RE: 060198

Ms. Nettle,

Here are the addresses for the mailing our PSC Agenda notice.

Reedy Creek Improvement District
1900 Hotel Plaza Boulevard
Lake Buena Vista, FL 32830-0170

Fort Pierce Utilities Authority
206 S. Sixth Street
Fort Pierce, FL 34948

City of Lake Worth Utilities Department
1900 2nd Avenue, North
Lake Worth, FL 33431

If you should need any other of the utilities address, please click the link below to Florida Municipal Electric Association website.

Utility Members: <http://www.publicpower.com/members.html>

Affiliates: <http://www.publicpower.com/affiliates.html>

Web: www.publicpower.com

Thank you,
Denise

S. Denise Hill
Information Technology Specialist
Florida Municipal Electric Association
P.O. Box 10114
Tallahassee, FL 32302-2114
O: 850-224-3314, ext. 6
F: 850-224-0358
dhill@publicpower.com
www.publicpower.com

-----Original Message-----

From: Ruth Nettles [mailto:RNettles@PSC.STATE.FL.US]
Sent: Friday, August 18, 2006 9:33 AM
To: dhill@publicpower.com
Cc: Kimberley Pena; Tiffany Williams
Subject: 060198

Good morning.

We are working on Docket 060198: Requirement for investor-owned electric utilities to file ongoing storm preparedness plans and implementation cost estimates. We need to have three addresses for mailing our Agenda notice today.

Please provide addresses for the following:

Reedy Creek Improvement District
Fort Pierce Utilities Authority

8/18/2006

*Done
08/18/06
Kmp*

City of Lake Worth Utilities Department

Thanks for your help. If you have any questions, please feel free to call us at the Clerks Office - 850-413-6770.

Ruth Nettles

Ruth Nettles

060198

From: Nester, Leigh [nesterl@talgov.com]
Sent: Friday, August 18, 2006 9:15 AM
To: Records Clerk
Subject: Contact information

Kevin G. Wailes
City of Tallahassee - Electric Utility
2602 Jackson Bluff Rd
Tallahassee FL 32304
850-891-5532
850-891-5162 (fax)
Leigh Nester - assistant

PARTIES

Gary Oberschlake
City of Tallahassee - Electric Utility
2602 Jackson Bluff Rd
Tallahassee FL 32304
850-891-5023
850-891-5058 (fax)
no assistant

*Done
08/18/06
KMP*

8/18/2006

DOCUMENT NUMBER-DATE

09115 OCT-4 5

FPSC-COMMISSION CLERK

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

RECEIVED-PPSC

06 NOV 27 AM 8:58

COMMISSION
CLERK

November 22, 2006

Ms. Kim Pena
Division of Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 060198-EI

Dear Ms. Pena:

Please substitute Paula K. Brown in place of Brenda Irizarry as the in-house Tampa Electric contact person in the above docket. Paula's contact information is as follows:

Name: Paula K. Brown
Phone: (813) 228-1444
Fax: (813) 228-1770
Email: regdept@tecoenergy.com

By copy of this letter we request that all parties of record to the above docket likewise substitute Ms. Brown in place of Ms. Irizarry as the in-house Tampa Electric recipient of all future pleadings, notices, correspondence or other communications in this docket.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/pp

cc: All parties of record
J. Denise Jordan
Paula K. Brown

*Done
11/29/06
KMP*