

Ruth Nettles

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Sent: Wednesday, December 19, 2007 4:38 PM
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Subject: FMEA Filing in PSC Docket 070650-EI
Attachments: FMEA Motion for Leave to Reply - 12-19-2007.doc

Hi Matilda,

Attached for filing is **Florida Municipal Electric Association's Motion for Leave to File a Reply** in PSC **Docket 070650-EI**.

The document has four (4) pages. Please contact me either by email or telephone if you have any questions.

As always, thank you for your assistance!

Karen

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12/19/2007

DOCUMENT NUMBER - DATE
 11047 DEC 19 06
 FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Turkey
Point Nuclear Units 6 and 7 electrical power
plant, by Florida Power & Light Company.

DOCKET NO. 070650-EI
FILED: December 19, 2007

FLORIDA MUNICIPAL ELECTRIC ASSOCIATION'S
MOTION FOR LEAVE TO FILE A REPLY

Florida Municipal Electric Association, Inc., (FMEA), pursuant to rule 28-106.204, Florida Administrative Code, files this Motion for Leave to File a Reply to Florida Power & Light Company's Response in Opposition to FMEA's Petition to Intervene, and in support therefore, states as follows:

1. On October 16, 2007, Florida Power & Light Company (FPL) filed a Petition to Determine Need for two nuclear-fueled generating units that will add substantial capacity to the Florida grid. On December 11, 2007, FMEA filed a Petition to Intervene in the proceeding in support of FPL's need petition, asserting that FMEA members' substantial interests will also be affected by the Commission's determination in this proceeding. On December 14, 2007, FPL filed a Response in Opposition to FMEA's Petition to Intervene.

2. FPL's opposition to FMEA's intervention in this proceeding is misguided and does not accurately portray FMEA's interests. FPL's opposition is based on its mistaken interpretation of section 403.519, Florida Statutes, and rule 25-22.081, Florida Administrative Code, which FPL contends do not contemplate the relief requested by FMEA. Although FPL acknowledges that there is both a Florida Statute and Commission rule relating to discussions with other electric utilities regarding joint ownership of a proposed nuclear power plant, FPL contends that such other electric utilities have no place in the need proceeding to ensure that FPL accurately portrays these discussions to the Commission.

DOCUMENT NUMBER-DATE

3. As this is the Commission's first opportunity to interpret the recent amendments to section 403.519, Florida Statutes, and rule 25-22.081, Florida Administrative Code, regarding nuclear power plants, FMEA intends in its Reply to offer a response to the arguments raised by FPL.

4. Pursuant to rule 28-106.204(3), Florida Administrative Code, FMEA has contacted the parties of record in this docket to determine whether there are any objections to this Motion. FMEA represents that the Office of Public Counsel, Seminole Electric Cooperative, Inc., Florida Municipal Power Agency, the Orlando Utilities Commission, and Bob and Jan Krasowski have no objection. The other parties have not responded.

WHEREFORE, FMEA requests the Commission accept FMEA's Reply to FPL's Response in Opposition to FMEA's Petition to Intervene.

Respectfully submitted this 19th day of December, 2007.

s/Daniel B. O'Hagan

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**Attorneys for Florida Municipal
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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Petition to Intervene has been furnished by electronic mail and U.S. Mail this 19th day of December, 2007 to the following:

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