

**Ruth Nettles**

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**Sent:** Monday, May 04, 2009 1:59 PM  
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**Subject:** Electronic Filing for Docket No. 090009-EI / FPL's Response to SACE Petition to Intervene  
**Attachments:** FPL's Response to SACE Petition to Intervene.doc; FPL's Response to SACE Petition to Intervene.pdf

**ELECTRONIC FILING**

**a. Person responsible for this electronic filing:**

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**b. Docket No. 090009-EI; In re: Nuclear Cost Recovery Clause**

**c. Documents are being filed on behalf of Florida Power & Light Company.**

**d. There are a total of 3 pages in the attached document.**

**e. The document attached for electronic filing is Florida Power & Light Company's Response to the Southern Alliance for Clean Energy's Petition to Intervene.**

Sincerely,

Jessica A. Cano  
Attorney

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DOCUMENT NUMBER-DATE

04177 MAY-48

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Nuclear Power Plant                    )  
Cost Recovery Clause                            )

Docket No. 090009-EI  
Filed: May 4, 2009

**FLORIDA POWER & LIGHT COMPANY'S RESPONSE TO  
THE SOUTHERN ALLIANCE FOR CLEAN ENERGY'S PETITION TO INTERVENE**

Florida Power & Light Company ("FPL") respectfully responds to the Petition to Intervene filed by the Southern Alliance for Clean Energy ("SACE"), and states as follows:

1. On April 27, 2009, SACE filed a Petition to Intervene in this docket. FPL does not oppose SACE's intervention. However, to the extent SACE is permitted to participate as an intervenor, such participation should be limited to those issues which are properly within the scope of this cost recovery proceeding.
2. The specific issues for determination by the Florida Public Service Commission (the "Commission") will be determined prior to the start of the hearing. Issues for consideration are those within the scope of the Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery Rule, Rule 25-6.0423, Florida Administrative Code (the "Rule") and Section 366.93, Florida Statutes.
3. Certain statements within SACE's Petition to Intervene refer to matters outside the scope of this proceeding. For example, SACE states that its mission is to promote "energy choices that solve global warming problems and ensure clean, safe and healthy communities" and that it is concerned with "thoroughly evaluating all cost-effective energy efficiency measures as a means of mitigating or displacing the need for new, non-renewable electricity generation." SACE Pet. to Intervene, p. 2. Consideration of such matters is not within the scope of the Rule or this proceeding. SACE specifically requests that the Commission "take full consideration of

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the issues raised by SACE in this docket.” SACE Pet. to Intervene, p. 5. Again, FPL does not oppose such a request, to the extent the issues raised are proper for consideration under applicable law.

WHEREFORE, for all of the foregoing reasons, FPL respectfully requests that any intervention by SACE be limited to those issues which are within the scope of the Rule and Section 366.93, Florida Statutes.

Respectfully submitted this 4th day of May, 2009.

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By: s/ Bryan S. Anderson  
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**CERTIFICATE OF SERVICE  
DOCKET NO. 090009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery this 4th day of May, 2009, to the following:

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