

FOWLER, O'QUINN, FEENEY & SNEED P.A.

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

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DISTRIBUTION CENTER
09 JUN 29 AM 7:40

June 25, 2009

VIA U.S. MAIL

Mr. Bob Coleman
Regional Director External Affairs
Florida Power & Light Company
425 N. Williamson Blvd.
Daytona Beach, Florida 32114

Mr. Sandy Sanderson
Manager External Affairs
Florida Power & Light Company
9001 Ellis Road
West Melbourne, FL 32904-1017

Re: Request for Information

Dear Mr. Coleman and Mr. Sanderson,

On May 19, 2009, our office sent you a letter requesting certain documents that our client, the City of Cocoa Beach, believes are essential to enable the City to determine whether to exercise its purchase option right. As your Franchisor and as a customer, the City requested a detailed list of documents and data, a copy of which will be attached to this most recent letter.

At the conclusion of that letter, the City requested that the documents and data be produced within 30 days of receipt of the request. The City also stated that if there were time issues in providing certain items to please inform us in writing and similarly with regard to information that you are unwilling to provide and reasons for that unwillingness. The City requested that data not falling into those categories be sent as quickly as possible with the City agreeing to pay statutory costs for copying and preparing requested data and information.

It has been over 30 days and the City has not received any response to this request. If additional time is necessary please communicate same with an explanation as to which items require more time to produce. Otherwise, the City would again request that you send us the data and documents requested in our letter of May 19, 2009.

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RECEIVED-FPSC
09 JUN 29 AM 9:28
COMMISSION
CLERK

DOCUMENT NUMBER-DATE

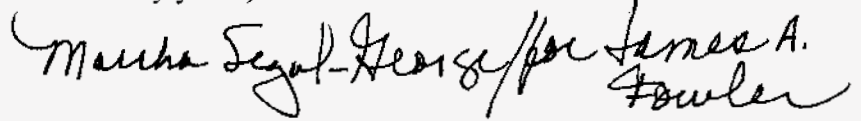
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FPSC-COMMISSION CLERK

The City believes that as a customer, as well as your franchisor, this information is public and should be available to a customer as we now make our second request.

Your time and attention is most appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads "Marsha Segal-George for James A. Fowler". The signature is written in black ink and is positioned above the typed name of the signatory.

James A. Fowler
City Attorney, Cocoa Beach

cc: Charles J. Billias; City Manager, City of Cocoa Beach
A.J. Hutson; Assistant City Manager, City of Cocoa Beach
Kenneth M. Rubin, Esquire, Senior Attorney FP&L
Ann Cole, Florida Public Service Commission Clerk

FILE COPY

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May 19, 2009

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Florida Power & Light Company
425 N. Williamson Blvd.
Daytona Beach, Florida 32114

Mr. Sandy Sanderson
Manager External Affairs
Florida Power & Light Company
9001 Ellis Road
West Melbourne, FL 32904-1017

Re: Request for Information

Dear Mr. Coleman and Mr. Sanderson,

On September 17, 1981, the City of Cocoa Beach, pursuant to ordinance No. 674 approved a 30 year franchise agreement with Florida Power & Light. The Franchise Agreement provides for the City's right to purchase the distribution system. Accordingly, the following information is essential to enable the City to determine whether to exercise its purchase option right. As your Franchisor and as a customer, the City would request the following documents and data; Where possible, please provide both printed and electronic copies of data requested.

1. Comprehensive Asset listing, by FERC account, including original cost, in service date, and condition assessment and inspection information.
2. Customer listing by customer classification for the past 5 (five) years of customers to potentially be transferred.
3. Audited Financial Statements showing the operating results for the electric system to be potentially transferred for the past 5 (five) years.


4. Operating budget for the electric system to be potentially transferred for the current and past 5 years.
5. Total load and aggregate load of the customers to potentially be transferred with the distribution system for the past 5 (five) years.
6. Revenues by type (sales, gross tax, franchise fees, etc) generated from the customers to potentially be transferred for the current and past 5 (five) years.
7. System maps detailing service areas, asset locations, customer locations, electric schematics, etc. for the area to potentially be transferred. If electronic copies are available in GIS or CAD format please provide copies of the electronic files.
8. A copy of the current tariff on file with the Public Service Commission.
9. Any special contracts with any customers to be potentially transferred.
10. A copy of the customer complaint logs for the past 5 (five) years of the customers to potentially be transferred.
11. A copy of the outage reports for the service area to potentially be transferred for the past 5 (five) years.
12. A copy of any special leases for the service area to potentially be transferred for the past 5 (five) years.
13. A copy of deeds for any land owned within the service area to potentially be transferred along with an explanation of the usage of the land. Where land is leased within the service area, please provide a copy of the current lease for the land along with an explanation of the usage of the land.
14. Copies of agreements as between FP&L and other companies using or sharing in the use with FP&L of power poles and/or right-of-way.
15. A copy of the Preventative Maintenance Plan for the Cocoa Beach Electric Distribution System.

The City would request that this data or documents be produced within 30 days of receipt of this request. If there are time issues in providing certain items of the requested information, please inform us in writing as to when you can produce same, but please do not delay delivery of readily available information. Also, please inform us if there is information you will not produce and reasons for same.

The City believes that as a customer, as well as your franchisor, this information is public and should be available to a customer upon request. The City will pay statutory costs for copying and preparing requested data and information.

Your time and attention is most appreciated.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James A. Fowler". The signature is fluid and cursive, with a large initial "J" and "F".

**James A. Fowler
City Attorney, Cocoa Beach**

**Cc; City Manager Cocoa Beach, Charles J. Billias; Assistant City Manager, A.J. Hutson;
Kenneth M. Rubin, Esquire, Senior Attorney FP&L; Ann Cole, Florida Public Service
Commission Clerk.**