

100009-E1

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Wednesday, May 11, 2011 4:45 PM  
**To:** Ruth McHargue  
**Cc:** Matilda Sanders; Dorothy Menasco  
**Subject:** RE: To CLK Docket # 100009 - Nuclear Cost Recovery Clause

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
<b>DOCUMENT NO</b> 00099-10		
<b>DISTRIBUTION:</b> _____		

Thank you for this information. This attachment has been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket 100009-EI.

Thank you,

Diamond Williams  
 Comm. Deputy Clerk I  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
 Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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**From:** Ruth McHargue  
**Sent:** Wednesday, May 11, 2011 4:10 PM  
**To:** Diamond Williams  
**Cc:** Matilda Sanders; Dorothy Menasco  
**Subject:** FW: To CLK Docket # 100009 - Nuclear Cost Recovery Clause

Customer correspondence

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**From:** Consumer Contact  
**Sent:** Tuesday, May 10, 2011 10:36 AM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket # 100009 - Nuclear Cost Recovery Clause

Copy on file, see 1008020C. DH

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**From:** Rege Davis [<mailto:regeDavis@earthlink.net>]  
**Sent:** Tuesday, May 10, 2011 7:58 AM  
**To:** Consumer Contact  
**Subject:** Docket # 100009 - Nuclear Cost Recovery Clause

I am totally opposed to allowing a private corporation to charge in advance for a project that may NEVER be completed. If Progress Energy wants to build a nuclear reactor, let them do like any other corporation would and have the company go to the market and get financing or save and invest their own money.

5/11/2011

Several months ago, I attended a meeting where I asked a representative of Public Service Commission "Would I receive a refund of my payments if construction of this reactor was not approved?" and the answer was NO. You need to stop this now. This nuclear cost recovery is just another scam by this electric utility to make additional income.

Rege Davis  
103 Coveridge Lane  
Longwood, FL 32779

**Diamond Williams**

100009-EI

**From:** Diamond Williams  
**Sent:** Friday, March 25, 2011 8:57 AM  
**To:** Ellen Plendl  
**Cc:** Dorothy Menasco; Matilda Sanders  
**Subject:** FW: Email for Docket 100009-EI

**Attachments:** FW: ; Consumer Inquiry - Progress Energy Florida, Incorporated



FW:



Consumer  
Jury - Progress E

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>00099-10</u>		
DISTRIBUTION: _____		

Thank you for this information. These attachments have been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Comm. Deputy Clerk I  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

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

From: Ellen Plendl  
Sent: Friday, March 25, 2011 8:48 AM  
To: Diamond Williams  
Cc: Dorothy Menasco; Matilda Sanders  
Subject: Email for Docket 100009-EI

See attached correspondence and PSC response for correspondence side of Docket 100009-EI.

## Diamond Williams

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**From:** Governor Rick Scott [Rick.Scott@eog.myflorida.com]  
**Sent:** Friday, March 25, 2011 7:54 AM  
**To:** Ellen Plendl  
**Subject:** FW:

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

**From:** robertoneil@earthlink.net [mailto:robertoneil@earthlink.net]  
**Sent:** Tuesday, March 22, 2011 6:31 PM  
**To:** Governor Rick Scott  
**Subject:**

NAME: Robert O'Neil

EMAIL: robertoneil@earthlink.net

ZIP\_CODE: 33541

SUBJECT: progress energy

MESSAGE: Dear Mr. Scott, one quick question, its about the rate increase progress energy electric company enacted recently. i was just wondering if you had been informed on what they are doing to its customers and if its legal and if you are or can please do something about it. we just had our rates increased by 25% which is high by any standard across America, but whats unbelievable is that 17% of that is just monies they are collecting from customers because they want to build a nuclear power plant. well the problem i have (and every other progress energy customer) is how can they just take money from us without giving us anything, no promise of a reduced rate for helping them build this plant, no co-op offerings, nothing, they just think they can bully it's customers into paying for this plant that they alone will profit from, and nothing for its customers except electrical power which we will get charged for the same as we always have been. if they want a new power plant, fine go secure a loan from a bank just like anyone else and build it, we the customers should not be on the hook for thousands of dollars each for someone elses dream. its not fair and im pretty sure its not legal. as consumers we deserve good electrical service for a fair price, i don't mind the occasional 8% increase which seems to be the standard with most electric company's but 25% is theft and a crime. Thank you, Robert O'Neil.

IP: 199.250.30.227

PAGE: <http://www.flgov.com/contact-gov-scott/email-the-governor/>

REFERER: <http://www.google.com/url?sa=t&source=web&cd=2&ved=0CC4QFjAB&url=http%3A%2F%2Fwww.flgov.com%2Fcontact-gov-scott%2Femail-the-governor%2F&rct=j&q=email%20for%20governor%20of%20florida&ei=yR2JTYsDbcz3gAeQpunYDQ&usg=AFQjCNGTVcDLP5V8HI7SpdXNCIgHGTRXEQ&sig2=bfDUyOnnSVs4rwNQ-qx40Q>



## Diamond Williams

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**From:** Randy Roland  
**Sent:** Friday, March 25, 2011 8:38 AM  
**To:** 'robertoneil@earthlink.net'  
**Subject:** Consumer Inquiry - Progress Energy Florida, Incorporated

Mr. Robert O'Neil  
robertoneil@earthlink.net

Dear Mr. O'Neil:

The Governor's office forwarded a copy of your email regarding Progress Energy Florida, Incorporated (Progress Energy) to the Florida Public Service Commission (PSC). The PSC regulates investor-owned electric, natural gas, and telecommunications utilities throughout Florida, and investor-owned water and wastewater utilities in those counties which have opted to transfer jurisdiction to the PSC. You expressed a concern about Progress Energy's petition to recover prudently incurred preconstruction costs associated with nuclear power plants.

Florida Statute 366.93 indicates that after a petition for determination of need is granted, a utility may petition the commission for cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

In compliance with the Florida Statute, in February 2007 the PSC enacted a rule that adheres to the statute. Rule 25-6.0423, Florida Administrative Code, allows investor-owned utilities to recover costs for nuclear and coal gasification plants.

Upon PSC approval of a utility's need for a nuclear plant upgrade or new plant construction, the utility can petition for cost recovery. The PSC held the first annual nuclear cost recovery evidentiary hearings on September 11 and 12, 2008, where commissioners heard testimony from utility companies, consumer groups, and the public.

On October 14, 2008, the PSC approved cost recovery amounts covering construction of proposed new nuclear plants and upgrades to existing nuclear plants for Progress Energy. Costs will be recovered from customers through the capacity cost recovery charge on their bills, which began in January 2009. The PSC's decision was based on evidence developed during the September 11, and 12, 2008 nuclear cost recovery hearings.

The uprate of the existing Crystal River nuclear plant and the proposed new nuclear facility in Levy County will add 2,380 megawatts of new nuclear base load generation to Progress Energy's system. The new nuclear Levy Units 1 & 2 are expected to come online in 2016 and 2017 and will also power about one million average-sized residential homes using 1,200 kilowatts per month.

On October 16, 2009, the PSC approved cost recovery for Progress Energy related to construction of planned nuclear generating plants and uprates of existing generating units.

Progress Energy's approved cost recovery includes costs associated with the uprate of its existing nuclear generating plant at Crystal River, and the construction of its proposed nuclear power plants, Levy Units 1 and 2. These completed projects will add 2,380 MWs of new nuclear base load generation to Progress Energy's system, enough energy to power 1.3 million homes.

The next hearing in which the PSC will set the 2010 fuel adjustment charge will begin in November 2011. You

may use the following link to view and listen to the hearings:

<http://www.floridapsc.com/agendas/audiovideo/index.aspx>

After each hearing, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

<http://www.floridapsc.com/agendas/audiovideo/archives/>

I will add your comments to the correspondence side of Docket No. 100009-EI regarding the nuclear cost recovery.

You also expressed a concern about an increase in residential electric rates. On June 1, 2010, the PSC approved a joint stipulation and settlement agreement that freezes Progress Energy customers' base rates until December 2012. I am not aware of any increase in Progress Energy's residential base rates.

If you have any questions or concerns please contact Ellen Plendl at 1-800-342-3552, or by fax at 1-800-511-0809.

Sincerely,

Randy Roland  
Regulatory Program Administrator  
Division of Service, Safety & Consumer Assistance Florida Public Service Commission

**Diamond Williams**

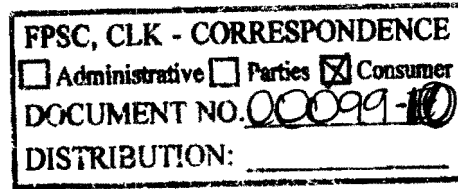
100009-EI

**From:** Diamond Williams  
**Sent:** Friday, December 03, 2010 4:25 PM  
**To:** Ruth McHargue  
**Cc:** Catherine Potts; Dorothy Menasco  
**Subject:** RE: Protest to PEF Nuclear Cost Recovery 100009

Thank you for this information. This attachment has been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094



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

**From:** Ruth McHargue  
**Sent:** Friday, December 03, 2010 1:16 PM  
**To:** Diamond Williams  
**Cc:** Catherine Potts; Dorothy Menasco  
**Subject:** FW: Protest to PEF Nuclear Cost Recovery 100009

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Friday, December 03, 2010 9:11 AM  
**To:** Ruth McHargue  
**Subject:** Protest to PEF Nuclear Cost Recovery 100009

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

**From:** Webmaster  
**Sent:** Friday, December 03, 2010 8:22 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]

Sent: Thursday, December 02, 2010 7:57 PM

To: Webmaster

Cc: jackmarsie@aol.com

Subject: My contact

Contact from a Web user

Contact Information:

Name: John Robinson

Company:

Primary Phone: 727-584-9328

Secondary Phone:

Email: jackmarsie@aol.com

Response requested? Yes

CC Sent? Yes

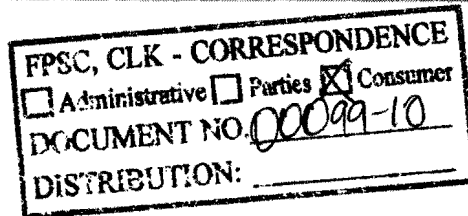
Comments:

You currently allow Progress Energy to collect funds to help prepay expenses for a nuclear plant that is apparently getting further away in time than originally planned. This is the "Sunshine State" How about making them use some/most/all that money to install solar panels on residential & commercial roofs in their service area. If they buy American and sub the installations there should be a big boost in employment and a reduction in the size of the nuke plant required. It would also reduce the risk of major damage/No hurricane would wipe out everything and while a plant could be a terrorist target I think it unlikely that the scum could come up with a way to simultaneously destroy ten or fifteen thousand homes/business locations.

**Diamond Williams**

100009-EI

**From:** Diamond Williams  
**Sent:** Monday, November 08, 2010 9:33 AM  
**To:** Ruth McHargue  
**Cc:** Catherine Potts; Dorothy Menasco; Diane Hood  
**Subject:** RE: To CLK Docket 100009 -Response requested



Thank you for this information. This attachment has been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket 100009-EI.

Thank you,

Diamond Williams  
 Staff Assistant  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
 Phone: 850-413-6094

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**From:** Ruth McHargue  
**Sent:** Friday, November 05, 2010 9:58 AM  
**To:** Diamond Williams  
**Cc:** Catherine Potts; Dorothy Menasco; Diane Hood  
**Subject:** FW: To CLK Docket 100009 -Response requested

Customer correspondence

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**From:** Consumer Contact  
**Sent:** Thursday, November 04, 2010 4:11 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009 -Response requested

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**From:** Lila and Lucky [<mailto:landl@embarqmail.com>]  
**Sent:** Thursday, November 04, 2010 1:20 PM  
**To:** Consumer Contact; [landl@embarqmail.com](mailto:landl@embarqmail.com)  
**Subject:** Nuclear Energy

I am the caregiver for a 92 year old blinded veteran and while I was paying his utility bill to Progress Energy I saw on his statement that for the past 12 months PE utilized fuel to generate his power: Coal 26%, Purchased Power 21%, Gas 50%, Oil 3%,

11/8/2010

NUCLEAR 0%. Mr Gerlach lives 18 miles from the Crystal River Nuclear Plant which has been in operation for many years. When I called PE to question why no nuclear energy is used she did not have an explanation so she hung up on me. This morning the paper said PE will be receiving another increase in energy prices the first of the year and I understand every customer of PE will also have an additional charge every month till 2016 IN CASE PE decides to build another nuclear plant just north of Crystal River.

Has your Commission ever asked PE why they do not utilize any nuclear energy rather than use 26% coal which generates the highest cost for their customers? If the Crystal River Plant nuclear energy is not used why do we have to pay for another plant to be built? I will look forward to your thoughts/explanation to my question.

Puzzled,  
L. L. Hallquist

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

Ann Cole 100009-EI

**From:** Ann Cole  
**Sent:** Friday, October 29, 2010 1:18 PM  
**To:** Bill McNulty  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Where's the outrage. Nathan Skop & the PSC

Thanks, Bill. This information below will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket Nos. 080677-EI and 100009-EI.

**From:** Bill McNulty  
**Sent:** Friday, October 29, 2010 11:38 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton  
**Subject:** FW: Where's the outrage. Nathan Skop & the PSC

Ann,

Mr. Mahoney called the Office of Commissioner Skop this morning to say that he was having some difficulty in sending his e-mail appearing below to our office. I offered him the alternative to send it to my e-mail address, which he did. Please place this e-mail in the correspondence side (consumers and their representatives) of Docket Nos. 080677-EI and 100009-EI. Thank you.

*Bill McNulty*  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission  
 (850) 413-6028 (office)  
 (850) 413-6029 (fax)  
 bmcnulty@psc.state.fl.us

**From:** Patrick [mailto:pm2120@comcast.net]  
**Sent:** Friday, October 29, 2010 10:00 AM  
**To:** Bill McNulty  
**Subject:** Fw: Where's the outrage. Nathan Skop & the PSC

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

**From:** Patrick  
**To:** Reisman, Larry  
**Sent:** Friday, October 29, 2010 9:25 AM  
**Subject:** Re: Where's the outrage. Nathan Skop & the PSC

Oct. 27, 2010

Dear Mr. Reisman,

I am truly amazed at the lack of interest shown by you and your staff regarding what's going on with the State Public Service Commission and Florida Power & Light. What's even more amazing is the lack of interest shown by your readers who write in daily to rant about everything that's wrong with our elected officials, but have failed to recognize a true hero who is standing up to the biggest monopoly company in the state, and getting no support

10/29/2010

either from your paper or the public. Nathan Skop, a member of the Public Service Commission has been doing battle with FPL over rate increases and unnecessary expenditures for years now and, sadly, doing it virtually alone. He has been so successful in fighting for the ratepayers; he was able to convince enough commission members to deny a \$1.2 billion dollar rate increase FPL sought last year, that the company is now suing Mr. Skop to silence him and, in an unprecedented effort, have him removed from the commission because he is "hostile to their efforts". What? Where is the outrage? This man is doing his job. For his efforts, the sleaze balls in Tallahassee, will not nominate him for re-appointment next year. FPL owns the politicians in our state capitol and is arrogant enough to shove it in our faces. Once again I ask, where is the outrage? Mr. Skop sought a full fledged hearing on \$31 million dollars in nuclear costs, citing a consultants report that stated the company used phony and outdated cost estimates. FPL has been accused of using selective spin and perjury in past proceedings, which should surprise nobody. Mr. Skop, who was appointed in 2006, has an MBA, is an engineer, and an attorney. In other words, just what we ratepayers need on our side. It is quite obvious that FPL is trying to ruin Nathan Skop, while our so called representatives in the state capitol are looking the other way. I only wish that he was on the ballot for Governor, I would be out beating the bushes for him. No wonder we can't get good people to run for public office. Good people, like Nathan Skop, get crushed. So, how about it readers? Nathan Skop needs our help He's saved us a bundle of money since 2006. Call your state representatives and tell them you are outraged at what FPL is doing to Nathan Skop, and listen to their spin. And how about you Mr Editor, where is your newspaper's outrage? We, your loyal readers, need to keep Nathan Skop on the PSC. By the way, while I was typing this letter, I just learned that Mr. Skop, the senior member on the PSC, was passed over for chairman, a post usually held by the senior member. Did I say crushed?

Patrick Mahoney  
1571 Ballantrae Court  
Port St Lucie, Fl. 34952  
772 337 2681

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

**From:** [Reisman, Larry](#)  
**To:** Patrick  
**Sent:** Thursday, October 28, 2010 1:17 PM  
**Subject:** RE: Where's the outrage.

We cannot open this attachment. Please copy text and place into e-mail window.

Larry Reisman

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**From:** Patrick [mailto:pm2120@comcast.net]  
**Sent:** Thursday, October 28, 2010 10:41 AM  
**To:** TCN Letters  
**Subject:** Where's the outrage.



**Diamond Williams**

100009-EI

**From:** Diamond Williams  
**Sent:** Thursday, October 28, 2010 9:06 AM  
**To:** Ellen Plendl  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: Correspondence side of Docket No. 100009-EI  
**Attachments:** FW: porogress energy; Re: Progress Energy

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
<b>DOCUMENT NO.</b> 00099-10		
<b>DISTRIBUTION:</b> _____		

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Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
Phone: 850-413-6094

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**From:** Ellen Plendl  
**Sent:** Thursday, October 28, 2010 8:50 AM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** Correspondence side of Docket No. 100009-EI

Please add attached email and response to the correspondence side of Docket No. 100009-EI.

## Diamond Williams

---

**From:** Governor Charlie Crist [Charlie.Crist@eog.myflorida.com]  
**Sent:** Wednesday, October 27, 2010 4:34 PM  
**To:** Ellen Plendl  
**Subject:** FW: porogress energy

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**From:** frank bartek [mailto:fbartek1@cfl.rr.com]  
**Sent:** Wednesday, October 27, 2010 8:32 AM  
**To:** Governor Charlie Crist  
**Subject:** porogress energy

to allow progress energy to charge customers for something 10 years from now, and maybe never to be built, is the worst approval i have ever seen in my life. you, as governor, should fire everyone on that board, and file robbery charges against all of them. what a disgrace to the seniors and the citizens of florida. what next??? do something before you laeve officei thionk the public should make the final vote on all these low life boards. the taxpayer is rthe payee, and noone should have the right to make any decisions, without the approval of the public. make this a law, and that would ansvere all questions. extend this on to congress in washington also. no final votes by these electees. final.....thank you

## Diamond Williams

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**From:** Randy Roland  
**Sent:** Thursday, October 28, 2010 8:44 AM  
**To:** 'fbartek1@cfl.rr.com'  
**Cc:** Ellen Plendl  
**Subject:** Re: Progress Energy

Mr. Frank Bartek  
fbartek1@cfl.rr.com

Dear Mr. Bartek:

The Governor's office forwarded a copy of your E-mail regarding Progress Energy Florida, Incorporated (Progress Energy) to the Florida Public Service Commission (PSC). The PSC regulates investor-owned electric, natural gas, and telecommunications utilities throughout Florida, and investor-owned water and wastewater utilities in those counties which have opted to transfer jurisdiction to the PSC. You expressed a concern about Progress Energy's petition to recover prudently incurred preconstruction costs associated with nuclear power plants.

Florida Statute 366.93 indicates that after a petition for determination of need is granted, a utility may petition the commission for cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

In February 2007 the PSC enacted Rule 25-6.0423, Florida Administrative Code, to comply with the statute.

The PSC held the first annual nuclear cost recovery evidentiary hearings on September 11 and 12, 2008, where commissioners heard testimony from utility companies, consumer groups, and the public. In January 2009, the company began recovering costs through the capacity cost recovery charge on customers' bills.

The PSC is required by rule to conduct a hearing each year by October 1 to review the nuclear project costs for Florida's investor-owned utilities. Evidence on Progress Energy's actual and projected costs for its Crystal River and Levy County plants concluded during the PSC's Nuclear Cost Recovery Hearing in August 2010.

On October 26, 2010, the PSC approved cost recovery amounts for Progress Energy, which will be recovered through the capacity cost recovery charge on customer bills beginning in 2011.

Progress Energy's approved \$163,580,660 recovery includes costs associated with the uprate of its existing nuclear generating plant at Crystal River, and the construction of its proposed nuclear power plants, Levy Units 1 and 2. When completed, these projects will add 2,380 MWs of new nuclear base load generation to Progress Energy's system, enough energy to power 1.3 million homes.

Progress Energy customers will pay about \$5.53 per month for the first 1,000 kilowatt hours. The final approved amount for customer bills, however, will be determined after the PSC's decision in the annual fuel cost recovery clause hearing beginning November 1, 2010.

You may use the following link to view and listen to the upcoming hearings:

<http://www.floridapsc.com/agendas/audiovideo/index.aspx>

After the hearings, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

<http://www.floridapsc.com/agendas/audiovideo/archives/>

I will add your comments to the correspondence side of Docket No. 100009-EI regarding the nuclear cost recovery. If you have any questions or concerns please contact Ellen Plendl at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Randy Roland  
Regulatory Program Administrator  
Division of Service, Safety & Consumer Assistance Florida Public Service Commission

**Ann Cole**

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 100009-E1		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Wednesday, October 27, 2010 11:17 AM  
**To:** Cristina Slaton  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Recent decision on early cost recovery

Thanks, Cristina. CLK will place this in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1.

**From:** Cristina Slaton  
**Sent:** Wednesday, October 27, 2010 11:06 AM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** RE: Recent decision on early cost recovery

Ann,

After discussing with Bill, perhaps it is better to reclassify this e-mail and place it in *Docket Correspondence - Consumers and their Representatives* since USF's Clean Energy Research Center is not currently listed as an interested party.

Thank you,  
Cristina

**From:** Ann Cole  
**Sent:** Wednesday, October 27, 2010 10:47 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Recent decision on early cost recovery

Thank you for this information, which will be placed in *Docket Correspondence - Parties and Interested Persons*, in Docket No. 100009-E1.

**From:** Office of Commissioner Skop  
**Sent:** Wednesday, October 27, 2010 10:42 AM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** FW: Recent decision on early cost recovery

Ann,

Given that the individual below is writing on behalf of USF's Clean Energy Research Center, please place the e-mail below in *Docket Correspondence - Parties and Interested Persons*, Docket No. 100009-E1.

Thank you,  
Cristina

**From:** Jamie Trahan [mailto:jmetrahan@yahoo.com]  
**Sent:** Tuesday, October 26, 2010 2:40 PM  
**To:** Office of Commissioner Skop  
**Subject:** Recent decision on early cost recovery

Dear Commissioner Skop,

I am incredibly worried about your motives as a **representative of the public** in the state of florida. Your recent decision to approve the early cost recovery program leads me to believe that you are siding with the power companies and are not the least bit concerned about how the public will be affected by their money driven motives. Can you please explain to me why you did not approve the construction of TECO's solar power plant because it "costs more than another conventional power plant", yet you will approve the construction of a USF's Clean Energy Research Center nuclear plant who's costs are not only increasing and who's construction will take over a decade, but produces toxic by-products and requires destructive mining and dirty processing to produce the fuel. As a researcher in the field of clean energy, I can say that your decisions do not make sense technically nor economically. I would appreciate a response that includes the data and information that you used to come to your decision on both the TECO case and the Nuclear cost recovery case.

Thank you,  
Jamie Trahan  
Research Assistant  
Cell: 813-390-7546

10/27/2010

100009-EI

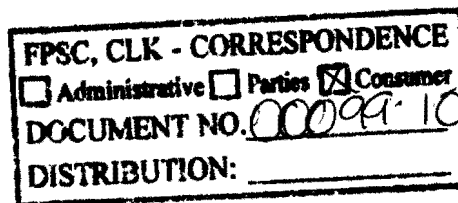
**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Wednesday, October 27, 2010 10:10 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole; Diane Hood  
**Subject:** FW: To CLK Docket 100009  
**Attachments:** Untitled; re: Docket 100009 ; reference Docket 100009; Docket 100009; Docket 100009; To CLK Docket 100009 -Response requested

Thank you for this information. These attachments have been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket 100009-EI.

Thank you,

Diamond Williams  
 Staff Assistant  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
 Phone: 850-413-6094



Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

---

**From:** Ruth McHargue  
**Sent:** Wednesday, October 27, 2010 9:37 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole; Diane Hood  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

---

**From:** Diane Hood  
**Sent:** Tuesday, October 26, 2010 3:02 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

Copy of each on file. DH

## Diamond Williams

---

**From:** kipnisd@atlanticbb.net  
**Sent:** Saturday, October 23, 2010 11:28 AM  
**To:** Consumer Contact

Re. Docket 100009

Don't allow Energy companies, I am serviced by FPL's monopoly, to stick it to Florida's citizens again by pre-charging us for unbuilt and not yet approved nuclear facilities.

Captain Dan Kipnis  
3156 Royal Palm Ave  
Miami Beach, Fl  
33140  
305-672-3807



**Diamond Williams**

---

**From:** Ben Berauer [bfberauer@aol.com]  
**Sent:** Tuesday, October 26, 2010 9:00 AM  
**To:** Consumer Contact  
**Subject:** re: Docket 100009

Dear Florida PSC:

I am a customer of FPL and am contacting you to protest the 2010 nuclear cost recovery clause docket and the pre-payment of costs for nuclear generation power plants. Please do not approve this.

Bernard Berauer  
12300 Park Blvd #215  
Seminole, FL 33772

## Diamond Williams

---

**From:** Carter Quillen [carterquillenpe@gmail.com]  
**Sent:** Sunday, October 24, 2010 10:33 AM  
**To:** Consumer Contact  
**Subject:** reference Docket 100009

Dear Commissioners,

As you consider FP&L's early cost recovery request for new nuclear generating capacity please consider the following simple facts.

*\* For about \$22 billion dollars Floridians will get a 2.2 gigawatt increase in thier electrical grid capacity of approximately 50 gigawatts, (less than 5%).*

*\* Nearly 10% of the electricity consumed in Florida is for the production of domestic hot water.*

*\* Solar water heating is a fully developed renewable energy technology that could displace 90% of this consumption within 10 years.*

*\*For far less than \$22 billion dollars you could put a solar water heater on every home in Florida, putting a lot more people to work and a lot of money in consumers pockets every month. (Money they could spend on new shoes for thier kids, a night out on the town, or home improvements that would further stimulate the economy.)*

You are tasked with the responsibility of deciding how our money is to be spent to develop energy infrastructure in Florida.

Please spend it responsibly!

Instead of giving it to FP&L to increase their profits by expanding an inefficient, centralized energy infrastructure, put that money in public benefit fund that will capitalize a renewable, decentralized energy infrastructure that better serves the people paying for it.

Continuing to grow our centralized, conventional energy infrastructure to meet Florida's growing energy needs is not the only way to solve the problem.

It's the most profitable way for the utilities, the most expensive way for consumers, and the most environmentally irresponsible way in general but there are viable alternatives.

Please vote "Hell NO!" on FP&L's request and consider serving the consumers of Florida by promoting alternative energy solutions to our energy needs!

Respectfully,

Carter Quillen, PE

10/27/2010

**Diamond Williams**

---

**From:** Ed Passerini [passerini321@gmail.com]  
**Sent:** Tuesday, October 26, 2010 8:35 AM  
**To:** Consumer Contact  
**Subject:** Docket 100009

As shown by recent cancellations, future nuclear units are totally diseconomic, even with large government subsidies. I will be happy to provide you with any data you lack on future costs comparing nuclear to coal with or without carbon tax and other energy sources. Please do not saddle consumers with any fees relating to future nuclear construction. The profits lie in other energy sources.

Sincerely,

Dr. Edward Passerini  
Environmental Economist  
Merritt Island, Florida

10/27/2010

## Diamond Williams

---

**From:** Beth Foley [lreach352@gmail.com]  
**Sent:** Tuesday, October 26, 2010 7:19 AM  
**To:** Consumer Contact  
**Subject:** Docket 100009

Clean energy NOT nuclear.

## Diamond Williams

---

**From:** Consumer Contact  
**Sent:** Tuesday, October 26, 2010 3:11 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009 -Response requested

Copy on file, see 976404C. DH

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

**From:** Webmaster  
**Sent:** Tuesday, October 26, 2010 8:10 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Tuesday, October 26, 2010 8:00 AM  
**To:** Webmaster  
**Cc:** ecasey21@hotmail.com  
**Subject:** My contact

Contact from a Web user

Contact Information:

**Name:** Emily Casey  
**Company:**  
**Primary Phone:** (352)476 - 4425  
**Secondary Phone:**  
**Email:** ecasey21@hotmail.com

Response requested? Yes

CC Sent? Yes

Comments:

Your mission - to ensure that safe, reliable and affordable electricity is provided. Nuclear is not safe for many reasons, reliable - this is questionable for many people who are now FORCED to pay the early cost recovery already required! Affordability - I have seen many elderly people suffer health wise because of the higher cost of electricity now. Please do not show favoritism to the utilities again but have compassion for THE PEOPLE of this state (remember many people are on limited incomes) and say NO to another rate increase for Progress Energy!

Thank You,

Emily Casey

Please call the phone number given above.

**Ann Cole**

PSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Florida	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
REMITTANCE:		

**From:** Ann Cole  
**Sent:** Wednesday, October 20, 2010 3:25 PM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Thank You

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in the Docket Nos. listed below.

**From:** Office of Commissioner Skop  
**Sent:** Wednesday, October 20, 2010 1:53 PM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** FW: Thank You

Ann,

Please place the e-mail below in the correspondence side of the following dockets:

100001-EI  
 100002-EI  
 100007-EI  
 100009-EI  
 080677-EI  
 090130-EI  
 100077-EI  
 100155-EI  
 080203-EI  
 080245-EI  
 080245-EI  
 080246-EI  
 090494-EI  
 060038-EI

Thank you,  
 Cristina

**From:** Sandymac36@aol.com [mailto:Sandymac36@aol.com]  
**Sent:** Wednesday, October 20, 2010 9:34 AM  
**To:** nancyargenziano@gmail.com  
**Cc:** Office of Commissioner Skop  
**Subject:** Thank You

Ms. Argenziano I was sorry to read you leaving the PSC commission. My only hope is you will continue in politics. Florida needs people like you. Mr. Skop, I am very upset, but not surprised concerning the story in today's Palm Beach Post concerning FPL asking courts to eliminate you from discussions concerning them. You along with Ms. Argenziano, Mr. Klement and Stevens were a credit to the PSC and the residents of Florida. The cartoon below should read FPL laid off 25 Congressmen. Thought you would enjoy the ?cartoon.

10/20/2010

[REDACTED]

**Diamond Williams**

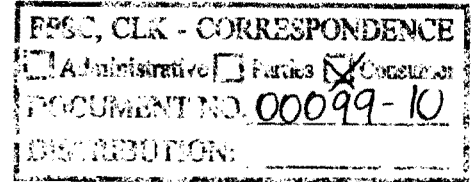
100009-EI

**From:** Diamond Williams  
**Sent:** Wednesday, October 20, 2010 10:41 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** RE: Docket 100009

Thank you for this information. This attachment has been printed and placed in Docket Correspondence-Consumers and their Representative, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094



Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Wednesday, October 20, 2010 10:06 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** Docket 100009

Customer correspondence

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Monday, October 18, 2010 9:45 AM  
**To:** Webmaster  
**Cc:** miltfarrow@blurredvisioncc.com  
**Subject:** My contact

Contact from a Web user

Contact Information:  
**Name:** Milt Farrow  
**Company:** unaffiliated  
**Primary Phone:** 321-537-2462  
**Secondary Phone:**  
**Email:** miltfarrow@blurredvisioncc.com



Response requested? Yes

CC Sent? Yes

Comments:

Dear Members, I was very concerned to read the negative commentary made about member Skop who in my estimation should receive very high marks as a public "watchdog"-Sec 350,031 and correspondingly 377.6051 within the legislative act are meaningless if the Legislature has been that corrupted by the politics of money and influence -that the necessity to maintain a corrupted acting in its political and economic interests makes the act unsustainable-If FPL could not answer the questions asked by this brave soul Then they simply did not qualify their request for rate increase-If this is the actual practice of the Nominating commission and the commission itself, ( which has permitted itself to be corrupted) then we need to re-evaluate the need for a citizen's review board and disband the statute as it is not performing in the interests of the citizen's of this state but rather standing as a "rubber stamp" for the greater corruption of the business process of this state. Ladies and Gentleman we will reach one day a point of "critical mass" and we will see a reaction from the public sector and it will not be an election process-The ruling elite have proven that corruption pays, and absolute corruption absolutely pays very well-This made possible by a Republican majority in the Legislature that has even corrupted our Court system-Could more be expected from people who steal from their own party's coffers? Absolutely Shameful-The people will explode one day Milt Farrow 4430 Elliot Ave Titusville Fl 32780

State of Florida



100009-EI

# 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-**

---

**DATE:** September 30, 2010  
**TO:** Ann Cole, Commission Clerk - PSC, Office of Commission Clerk  
**FROM:** Cristina Slaton, Executive Secretary to Commissioner Skop *CS*  
**RE:** Docket Correspondence

---

Ann,

Please place the attached correspondence sent to the Office of Commissioner Skop in the correspondence folder for docket number 100009-EI. This letter is from Mr. Robert Coyle of Margate, FL. Thank you.

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 100099-10		
DISTRIBUTION:		

RECEIVED-FPSC  
10 OCT - 1 PM 2:09  
COMMISSION  
CLERK

7608 NW 18<sup>th</sup> St #301  
Margate, FL 33063  
September, 26, 2010

Commissioner Nathan A. Skop  
Fl. Public Service Commission  
Tallahassee, FL 32399-0850

LATEST OUTAGE  
SUN. Sept. 26, 2010 9:40 AM

Dear Sir;

Thank you for doing your job re FPL, even if FPL, CEO Oliners can't take the heat.

I've been trying to get "reliable" service from FPL for nine months. Our power has gone off at least 14 X between 1/1/10 and 8/12/10 according to FPL. (see PSC letter, 9/8/10)

My count of outages is 18, total.

We live in a 542 S.W. apartments/17 building complex. We lost elevators, lighting, TV, etc for hours.

FPL talks a good game but doesn't act a good game. I've got their attention, rather Mr. Coyle, has.

(See E-mails from FPL) Our last outage was 9/12/10.

★ On 7/19/10 I spoke to your "Randy Roland".

His letter to me of 7/15/10 re "OUTAGES" said: Specialized PSC Staff will not investigate our numerous outages until FPL speaks to me. This is a joke!

Today is 9/26/10 in July alone we had 10 outages.

It's time PSC "Specialists" talked to FPL.

I'm enclosing my FPL History and request. Before you retire will you give a copy of all this to all commissioners. FPL is out of control. The Feds should investigate them.

- cont -

2 of 2

FPL talks about nuclear power and  
at the same time puts in a 34 <sup>mile</sup> natural  
gas line (w/o spatial controls) to replace  
electric. Then separately put solar power in  
NRSR community. Meanwhile, we Sr's keep losing power.

We know FPL is a giant, but they  
"GOT IT MADE" and if you put  
the heat on them, they personally attack. Nice huh!

Only the Fed can stop them. It's time.  
Their own people are afraid, and Fl. State Police  
say they "found no irregularities". What power.

Good luck, expose all the FPL - FL Gov.  
connections and buy a bullet-proof vest.  
We'll need them.

Very truly yours.

Robert Cople

C: Sen. Atwater  
PSC/Randy Roland

9/26/10  
Sir,  
Please excuse  
my writing - my eyes are  
shot.  
PSC really needs  
independent opinions  
PSC Staff is working  
for FPL, not the public.  
- CORR - PC



11608 N.W. 18<sup>th</sup> St.

# 301

Marqates, FL.

33063

Sept. 16, 2010

Randy Roland  
Fl. Public Service Commission  
Capital Service Office Center  
2540 S. Humard Oak Blvd.  
Tallahassee, FL 32399-0850

Request #  
918562 E

Dear Randy

On July 19, 2010 I spoke to you on the telephone about your letter to me of July 15, 2010 re "OUTAGES"

Your letter was quite clear regarding the numerous outages at our home.

You wrote that: "specialized PSC staff will not investigate our outages under FPL speaks to me"

Well, today is Sept 16, 2010. Since we had our first power outage on July 8, 2010 we have had TEN outages! We have had letters from PSC telling us how great FPL is. We have spoken (as you know) to FPL dozens of times. In person and by E-mail and phone.

A sample of E-mails between Nigel Pratt FPL and Mrs. Coyle is attached. Same old B.S.

Well our 10<sup>th</sup> outage was on Sept. 12, 2010, four days ago. Randy, its time your "Specialized staff" investigate this problem and once & for all correct the problem!!  
C. Charwoman Argenziano, P.S.C. \* Robert DO IT!  
Coyle

**FPL OUTAGES**  
 AT 7608 N.W. 18<sup>TH</sup> SE  
 MARGATE, FL

BRIEF SUMMARY

as of Sept. 26, 2010

- NOTE 2/10 FPL "CRISTI" WROTE "HOW GREAT FPL IS!"
- NOTE 7/19/10 P.S.C. "RANDY ROLAND" WILL DO NOTHING UNTIL FPL TALKS TO COYLE
- NOTE 7/19/10 FPL SAID THEY VISUALLY INSPECTED 10 TRANSFORMERS
- NOTE 8/15/10 - 9/7/10 FPL "PRATT" E-MAILED MRS. Coyle BETWEEN THAT TIME COYLE HAD 4 MORE OUTAGES, TOTAL OF 9 OUTAGES SINCE 7/8/10
- NOTE 9/10 Custom output of NUCLEAR PROTECT: 9/3/10 FPL REVER COMM. NATHAN STOP PUE
- 1/1/10 - 8/31/10
- 7/8/10 (12)
- 7/23/10
- 7/25/10
- 7/10/10 (3)
- 8/12/10 (2)
- 8/16/10 (2)
- 9/6/10 (1)
- 9/6/10 (2)
- 9/12/10 SUN and 9/26/10
- TOTAL OUTAGES 7/1 - 9/12/10 = 9/26/10

→ P.S.

The aforementioned is a brief history of outages. Keith Pratt FPL and a few other FPL people say "they STRIVE TO PROVIDE RELIABLE SERVICE". I would like to have some of that 30 service.

P.S.C. staff, yourself, Mr. Hicks, Mr. Stokes, Mrs McHargue, Mrs Plandl know about our outages, yet allow FPL to continue to act alone. PSC MUST contract w/ an independent contractor to solve their outage problem. Even your special ops staff!

(1) Request my input MAR 5, 2010  
 C: FL Rep. Waldman.

R. Coyle  
 9/26/10

http://us.mg4.mail.yahoo.com/dc/launch?gx=1&.rand=bff6pggpiqfm5

From: "Pratt, Nigel" <Nigel.Pratt@fpl.com>  
To: Kathleen Coyle <rkcoyle@yahoo.com>  
Sent: Tue, September 7, 2010 10:08:54 AM  
Subject: RE: Interruptions

*another*  
**SAMPLE OF OUTAGES  
FROM FPL**

Mrs. Coyle,

This is what I discovered so far.

- 1 span of wire came down at Atlantic & west of Rock Island road around 12:17.
- Customer affected 2,756.
- ✖ Why it came down, still waiting on that info?

Thanks,

Nigel Pratt  
Project Manager  
Power Systems  
Florida Power & Light - Wingate Service Center / WGA / FL3  
Office: 954-717-2083  
Cell: 954-240-6846  
Fax: 954-717-2118

From: Pratt, Nigel  
Sent: Tuesday, September 07, 2010 7:28 AM

<http://us.mg4.mail.yahoo.com/dc/launch?.gx=1&.rand=2rjgfv7o7ohla>

9/17/2010

From: Kathleen Coyle [mailto:rkcoyle@yahoo.com]  
Sent: Sunday, September 12, 2010 1:38 PM  
To: Pratt, Nigel  
Subject: Re: Interruptions

Another very brief power failure on Sunday, 9/12/10, approximately 12:30 p.m. Cable re-set it self. Outage was so brief that clocks did not have to be reset.

From: Pratt, Nigel  
Sent: Tuesday, September 14, 2010 1:23 PM  
To: Kathleen Coyle  
Subject: RE: Interruptions

Mrs. Coyle,

Our data confirms this see below:

- ✖ 08/30/10 01:30:42 704588 3462
- Looking into this.
- Still waiting for the crew supervisor to reply as to why the wire came down on 9/6/10.

Thanks,

Nigel Pratt  
Project Manager  
Power Systems  
Florida Power & Light - Wingate Service Center / WGA / FL3  
Office: 954-717-2083  
Cell: 954-240-6846  
Fax: 954-717-2118

Print

From: Pratt, Nigel (Nigel.Pratt@fpl.com)  
To: rkcoyle@yahoo.com;  
Date: Fri, September 17, 2010 8:46:04 AM  
Cc:  
Subject: RE: Interruptions

Mrs. Coyle,

Why did the wire coming down on 9/6/10.  
ANS Per the crew, lightning caused the feeder(main grid) interruption--it burned the wire and insulator.

Please call if you have any questions.

Thanks,

Nigel Pratt  
Project Manager  
Power Systems  
Florida Power & Light - Wingate Service Center / WGA / FL3

S. met

LATEST  
SUN. 9/26/10  
"immediately"  
power  
outage

From: Kathleen Coyle (rkcsoula@yahoo.com)  
To: cmetate@sunsentinel.com  
Date: Tue, March 2, 2010 2:07:50 PM  
Subject: Fw: My contact with PSC and FPL

You may reference FPSC request # 918562E. This is regarding the extended power outage in January '10. etc.

— Forwarded Message —

From: "contact@psc.state.fl.us" <contact@psc.state.fl.us>  
To: webmaster@psc.state.fl.us  
Cc: rkcsoula@yahoo.com  
Sent: Tue, March 2, 2010 1:47:34 PM  
Subject: My contact

Contact from a Web user

Contact Information:  
Name: kathleen coyle  
Company:  
Primary Phone: 954-971-7629  
Secondary Phone:  
Email: [rkcsoula@yahoo.com](mailto:rkcsoula@yahoo.com)

Response requested? No  
CC Sent? Yes

Comments:

RE: FPSC Request # 918562E

Ms. Shirley A. Stokes

Thank you for your letter of 2/16/10. In Mr. Christies letter of 2/10/10, he explained the problem in 3 paragraphs. Further, he goes on to explain how FPL is investing to make their infrastructure stronger every day, including improvements made in '09.

*FPASS THIS AROUND!*

\*→ The issue I have is where are the plans to handle extraordinary peak demand as were experienced here in January? If there are no plans, I guess we can continue to expect long term outages when demand exceeds capacity. MY POINT IS FPL needs to wrap their mind(s) around the concept of "expect the unexpected". If insurance companies can project risk using a 100 year flood plain map, why can't FPL plan for extraordinary periods of demand?

Also, even though it appears that I am the only one complaining about this (and I wasn't even affected by the outage) that doesn't diminish the problem or the lack of pre-planning by FPL. Perhaps it's time that the media get ahold of this red herring!



between January 1, 2010, and August 31, 2010:

Date of Outage	Duration of Outage	Reason for Outage
July 8, 2010	1 hour, 36 minutes	Outage due to damaged equipment
August 12, 2010	1 hour, 30 minutes	Outage due to damaged equipment

SAMPLE FROM PSC

FPL records reflect your residence experienced the following momentary outages from January 1, 2010, to August 31, 2010:

Month	Number of Momentary Outages
January 2010	0
February 2010	0
March 2010	1
April 2010	1
May 2010	0
June 2010	0
July 2010	6
August 2010	4

SEE Cc  
ACTUAL OUTAGE  
RECORD  
ATTACHED  
9/26/10

→ STILL STOPS  
ALL APPLIANCES  
TV, COMPUTER, GIGAS  
ETC.  
JUST AS BAD  
AS LENGTHY  
OUTAGES.

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

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

by Randy Roland  
PSC

100009-EI

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Tuesday, September 28, 2010 10:11 AM  
**To:** Ellen Plendl  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Docket 100009-EI

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO 00099-10		
DISTRIBUTION:		

**Attachments:** FW: how can you sleep at night; Re: how can you sleep at night



FW: how can you sleep at night  
Re: how can you sleep at night

Thank you for this information. These attachments have been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ellen Plendl  
**Sent:** Monday, September 27, 2010 1:47 PM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** Docket 100009-EI

Please add the attached email and PSC response to the correspondence side of docket file 100009-EI.

Thanks!

## Diamond Williams

---

**From:** Randy Roland  
**Sent:** Monday, September 27, 2010 11:20 AM  
**To:** Ellen Plendl  
**Subject:** FW: how can you sleep at night

---

**From:** Governor Charlie Crist [mailto:Charlie.Crist@eog.myflorida.com]  
**Sent:** Friday, September 24, 2010 1:14 PM  
**To:** Randy Roland  
**Subject:** FW: how can you sleep at night

---

**From:** judeps53@aol.com [mailto:judeps53@aol.com]  
**Sent:** Thursday, September 23, 2010 4:50 PM  
**To:** Governor Charlie Crist  
**Subject:** how can you sleep at night

Dear MR Crist, how could this be we have progress energy, they did not start to build the new plant .yet the florida customers are charged for the 30% rate hike, and you want our votes, i do no florida is fed up with this kind of stuff, we do pass on this kind of stuff you hurt us not helped us and i voted for you boy does this make me think about the next vote .think of the american people not your self thanks JUDITH KOLBINSKIE

## Diamond Williams

---

**From:** Randy Roland  
**Sent:** Monday, September 27, 2010 1:42 PM  
**To:** 'judeps53@aol.com'  
**Subject:** Re: how can you sleep at night

Ms. Judith Kolbinskie  
judeps53@aol.com

Dear Ms. Kolbinskie:

The Governor's office forwarded a copy of your E-mail regarding Progress Energy Florida, Incorporated (Progress Energy) to the Florida Public Service Commission (PSC). The PSC regulates investor-owned electric, natural gas, and telecommunications utilities throughout Florida, and investor-owned water and wastewater utilities in those counties which have opted to transfer jurisdiction to the PSC. You expressed a concern about Progress Energy's petition to recover prudently incurred preconstruction costs associated with nuclear power plants.

The uprate of the existing Crystal River nuclear plant and the proposed new nuclear facility in Levy County will add 2,380 megawatts of new nuclear base load generation to Progress Energy's system. The new nuclear Levy Units 1 & 2 are expected to come online in 2016 and 2017 and will also power about one million average-sized residential homes using 1,200 kilowatts per month.

Florida Statute 366.93 indicates that after a petition for determination of need is granted, a utility may petition the commission for cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

In February 2007 the PSC enacted Rule 25-6.0423, Florida Administrative Code, to comply with the statute.

The PSC held the first annual nuclear cost recovery evidentiary hearings on September 11 and 12, 2008, where commissioners heard testimony from utility companies, consumer groups, and the public. In January 2009, the company began recovering costs through the capacity cost recovery charge on customers' bills.

The PSC is required by rule to conduct a hearing each year by October 1 to review the nuclear project costs for Florida's investor-owned utilities. Evidence on Progress Energy's actual and projected costs for its Crystal River and Levy County plants concluded during the PSC's Nuclear Cost Recovery Hearing in August 2010. On October 12, 2010 the Commission is scheduled to vote on Progress Energy's nuclear costs and any other outstanding nuclear issues.

You may use the following link to view and listen to the hearings:

<http://www.floridapsc.com/agendas/audiovideo/index.aspx>

After the hearing, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

<http://www.floridapsc.com/agendas/audiovideo/archives/>

I will add your comments to the correspondence side of Docket No. 100009-EI regarding the nuclear cost recovery. If you have any questions or concerns please contact Ellen Plendl at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Randy Roland  
Regulatory Program Administrator  
Division of Service, Safety & Consumer Assistance Florida Public Service Commission

100009-EI

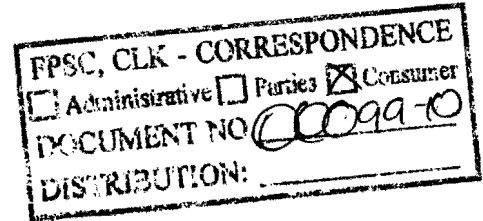
**Ann Cole**

**From:** Ann Cole  
**Sent:** Friday, September 17, 2010 1:44 PM  
**To:** Office Of Commissioner Graham  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: FPL Actions

Thank you for this information, which will be placed in Docket Correspondence - Consumers and their Representatives, in Docket No. 100009-EI.

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

From: Betty Ashby On Behalf Of Office Of Commissioner Graham  
Sent: Friday, September 17, 2010 1:37 PM  
To: Ann Cole  
Subject: FW: FPL Actions  
Importance: High



Please add to docket 100009.

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

From: Linda Drake (WireSpring) [mailto:lindad@wirespring.com]  
Sent: Friday, September 17, 2010 10:25 AM  
To: Office Of Commissioner Graham; Office Of Commissioner Edgar; Office of Commissioner Argenziano; Office of Commissioner Skop; Office of Commissioner Brisé; KELLY.JR  
Subject: FPL Actions  
Importance: High

To All Commissioners,

With regards to the actions of FPL towards Nathan Skop, you \*all\* have need to be concerned and must take action to stop FPL towards achieving their end - which is having Commissioner Skop removed from all future FPL hearings.

Such an action would set a precedent that would provide FPL unmitigated control over all of your actions and to the detriment of the ratepayers that you are there to serve.

FPL has proven that it has taken questionable actions before and if this action is successful against Commissioner Skop, then all of you are endangered as well as your successors.

Please take whatever measures you can to ensure that FPL does not succeed in it's quest. The repercussions are just too dangerous.

Very truly yours,  
Linda M. Drake  
19861 NW 88 Ave  
Hialeah, FL 33018  
954-548-3300 ext 1523

Ann Cole

100009-E1

**From:** Ann Cole  
**Sent:** Friday, September 17, 2010 1:43 PM  
**To:** Office of Commissioner Skop  
**Cc:** Bill McNulty; Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: FPL Actions

Thank you for this information, which will be placed in Docket Correspondence - Consumers and their Representatives, in Docket Nos. listed below.

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

From: Office of Commissioner Skop  
Sent: Friday, September 17, 2010 1:27 PM  
To: Ann Cole  
Cc: Bill McNulty  
Subject: FW: FPL Actions  
Importance: High

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

Ann,

Please place the e-mail below in the correspondence side of the following dockets:

100001-EI  
100002-EI  
100007-EI  
100009-EI  
080677-EI  
090130-EI  
100077-EI  
100155-EI  
080203-EI  
080245-EI  
080245-EI  
080246-EI  
090494-EI  
060038-EI

Thank you,  
Cristina

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

From: Linda Drake (WireSpring) [mailto:lindad@wirespring.com]  
Sent: Friday, September 17, 2010 10:25 AM  
To: Office Of Commissioner Graham; Office Of Commissioner Edgar; Office of Commissioner Argenziano; Office of Commissioner Skop; Office of Commissioner Brisé; KELLY.JR  
Subject: FPL Actions  
Importance: High

To All Commissioners,

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The repercussions are just too dangerous.

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Linda M. Drake  
19861 NW 88 Ave  
Hialeah, FL 33018  
954-548-3300 ext 1523

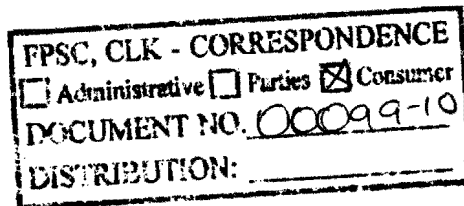


**Kimberley Pena**

**From:** Kimberley Pena  
**Sent:** Tuesday, September 14, 2010 11:56 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite; Ann Cole  
**Subject:** FW: Docket Correspondence  
**Attachments:** Palm Beach Post 9/14/2010; FPL

Thank you. This information will be placed in Docket Correspondence - Consumers and their Representative, in the below referenced dockets, today.

**From:** Cristina Slaton  
**Sent:** Tuesday, September 14, 2010 11:46 AM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** Docket Correspondence



Ann,

Please place the attached e-mails in the correspondence side of the following dockets:

- 100001-EI
- 100002-EI
- 100007-EI
- 100009-EI
- 080677-EI
- 090130-EI
- 100077-EI
- 100155-EI
- 080203-EI
- 080245-EI
- 080245-EI
- 080246-EI
- 090494-EI
- 060038-EI

Thank you,  
Cristina

## Kimberley Pena

---

**From:** Sandymac36@aol.com  
**Sent:** Tuesday, September 14, 2010 11:28 AM  
**To:** Office of Commissioner Skop  
**Subject:** FPL

Dear Commissioner Skop,

It seems I am continually upset with the news in the Palm Beach Post concerning you and FPL, and the latest story on 9/14/2010, which I have enclosed for you to read. I don't have the words to express my gratitude to you for all you have done, and tried to do for the consumers who have no choice but to use FPL.

There was a list of senators and representatives who make up the nominating committee, and I have written them all and expressed my dissatisfaction with them and of course have not heard back from any of them. I have no doubt that FPL have these people in their pockets, and care more about "taking care" of them than the public. What upsets me more is the consumer who won't or can't get involved beyond talking about how high their electric bill is while standing around the water cooler. These fools, in my opinion, will get what they deserve when you and Ms. Argenziano complete your term in January. As for the politicians hopefully they will get what they deserve come November. You take care of yourself, sir. And again "Thank you"

9/14/2010

**Kimberley Pena**

---

**From:** Sandymac36@aol.com  
**Sent:** Tuesday, September 14, 2010 11:31 AM  
**To:** Office of Commissioner Skop  
**Subject:** Palm Beach Post 9/14/2010

Forgot to enclose in previous e-mail

[FPL turns up heat on PSC member](#)

# The Palm Beach Post

Print this page

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## FPL turns up heat on PSC member

By SUSAN SALISBURY

Palm Beach Post Staff Writer

Updated: 7:59 p.m. Monday, Sept. 13, 2010

Posted: 7:49 p.m. Monday, Sept. 13, 2010

In its battle to bar outgoing Florida Public Service Commissioner Nathan Skop from dealing with any of its issues, Florida Power & Light Co. pulled out all the stops Monday, seeking to prevent Skop from participating in a PSC hearing today.

The Juno Beach-based company filed additional motions with the Tallahassee-based 1st District Court of Appeal and the PSC on Monday in its latest attempt to keep him out of its business.

Late Monday the PSC deferred FPL's portion of today's hearing until Sept. 28.

The PSC, including Skop, is still expected to discuss other utility companies' energy-saving programs.

"Our goal is to stop him from participating in FPL matters," Barry Richard, a Tallahassee attorney representing FPL, said Monday.

FPL officials said in court filings that in the past year Skop has become increasingly hostile toward the company, and that his antagonistic behavior has been reserved for FPL. The company contends Skop is no longer fair and impartial.

Skop, 43, whose term ends Jan. 1, did not respond to a request for comment Monday.

In January, Skop and four other commissioners unanimously voted to reject FPL's proposed \$1.2 billion rate increase. The company was granted a \$75.5 million increase. Skop has stated that FPL "owns state government," and accused it of "spin" and "selective disclosure," and accused FPL's counsel of "misrepresentations," according to court filings.

Richard filed an emergency motion for a stay Monday, asking the 1st District Court of Appeal to stop Skop from hearing any FPL matters. On Sept. 2, FPL filed a motion with the PSC asking Skop to disqualify himself from involvement in any FPL issues.

At a nuclear cost hearing a week ago, Skop said the motion was moot because it was not issued far enough in advance of the hearing and did not cite the appropriate statute.

Skop's refusal to disqualify himself set off a series of court filings by FPL attorneys, including one that asks the court to force Skop to rule on the disqualification motion.

Friday, the appellate court gave Skop until Thursday to respond as to why FPL's petitions should not be granted.

The company's recent settlement of its rate case, and 10 other FPL issues are pending before the PSC this year.

Find this article at:

Print this page

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<http://www.palmbeachpost.com/money/fpl-turns-up-heat-on-psc-member-914049.html>

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**Ann Cole**

**From:** Ann Cole  
**Sent:** Friday, September 10, 2010 9:40 AM  
**To:** Office of Commissioner Skop  
**Cc:** Cristina Slaton; Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Call In Comments from FPL Customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in all docket nos. listed below.

---

**From:** Office of Commissioner Skop  
**Sent:** Friday, September 10, 2010 9:38 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton  
**Subject:** Call In Comments from FPL Customer

Ann,

Mr. Larry Kraatz of Vero Beach (721 Timber Ridge Trail) called the Office of Commissioner Skop at 9:20 AM today to express his displeasure regarding FPL filings designed to remove Commissioner Skop from FPL-related dockets. He stated he was very concerned about FPL's attempts to silence Commissioner Skop, their "mafiosa tactics", their attempts to increase rates. He stated Commissioner Skop's input should be valued despite having voted against FPL. Mr. Kraatz stated he supports the appointment to the utility board of any advocate who supports people's rights.

Please place this e-mail in the correspondence side of the following dockets:

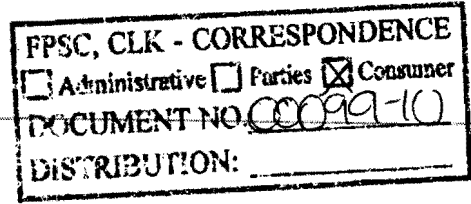
100001-EI  
100002-EI  
100007-EI  
100009-EI  
080677-EI  
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100077-EI  
100155-EI  
080203-EI  
080245-EI  
080245-EI  
080246-EI  
090494-EI  
060038-EI

Thank You,

*Bill McNulty*  
*Chief Advisor to Commissioner Skop*

9/10/2010

*Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6028 (office)  
(850) 413-6029 (fax)  
bmcnulty@psc.state.fl.us*



**Ann Cole**

**From:** Ann Cole  
**Sent:** Friday, September 10, 2010 9:39 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Thank You Commissioner Skop

**Tracking:** **Recipient** **Read**  
Office of Commissioner Skop  
Commissioners Advisors  
Administrative Assistants - Commission Suite  
Bill McNulty Read: 9/10/2010 9:39 AM

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in all docket nos. listed below.

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**Sent:** Friday, September 10, 2010 9:13 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton  
**Subject:** FW: Thank You Commissioner Skop

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- 080203-EI
- 080245-EI
- 080245-EI
- 080246-EI
- 090494-EI
- 060038-EI

Thank You,

*Bill McNulty*  
*Chief Advisor to Commissioner Skop*  
*Florida Public Service Commission*  
*2540 Shumard Oak Boulevard*

Tallahassee, FL 32399-0855  
(850) 413-6028 (office)  
(850) 413-6029 (fax)  
bmcnulty@psc.state.fl.us

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**From:** Chris [mailto:dolphins54@comcast.net]  
**Sent:** Thursday, September 09, 2010 9:47 PM  
**To:** Office of Commissioner Skop  
**Subject:** Thank You Commissioner Skop

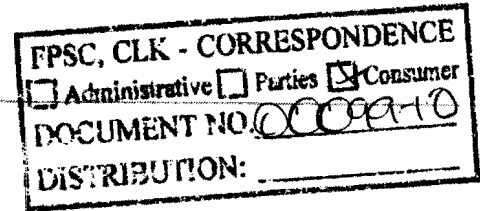
*Thank you for taken on F.P.L. and representing the hard working families in Florida. In the past it always been F.P.L. who has been dictating to the consumers and it's nice to finally see a commissioner who is standing up for the people of Florida! The amount of electricity that needs to be generated today is getting to be less and less. With all the "Green" lighting, Appliances, Motors, A.C. units, etc.... our electric bill should be decreasing each year when in fact it is constantly on the rise. I've never seen so many excuses for increases. Make them open their books for the consumer to see. It would be in the best interest of the consumers. I look out my back window and see several old Electric poles that are rotted, and they claim that they have strengthened the electrical grid. Please keep on them and don't back down!*

*Thank You for your Fine Job as Commissioner.*

*Chris*



**Ann Cole**



**From:** Ann Cole  
**Sent:** Friday, September 10, 2010 9:38 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: FPL sues to silence regulator

Tracking: Recipient	Read
Office of Commissioner Skop	
Commissioners Advisors	
Administrative Assistants - Commission Suite	
Bill McNulty	Read: 9/10/2010 9:38 AM

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in all docket nos. listed below.

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**From:** Office of Commissioner Skop  
**Sent:** Friday, September 10, 2010 9:09 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton  
**Subject:** FW: FPL sues to silence regulator

Ann,

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- 100009-EI
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- 090494-EI
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Thank You,

*Bill McNulty*  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission

9/10/2010

2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6028 (office)  
(850) 413-6029 (fax)  
bmcnulty@psc.state.fl.us

---

**From:** Patrick [mailto:pm2120@comcast.net]  
**Sent:** Friday, September 10, 2010 8:34 AM  
**To:** Office of Commissioner Skop  
**Cc:** pm2120@comcast.net  
**Subject:** FPL sues to silence regulator

Dear Mr. Skop. I just wanted to thank you on behalf of all Florida FPL customers. It's an outrage that FPL can be so brazen and open about trying to silence you, with not one word of support from your colleagues on the commission. Are they all bought and paid for by FPL? And where are our elected officials who are supposed to be looking out for us against a monopoly company which continues to be caught in lie after lie regarding costs and rates. Although I'm only one angry customer, I would like to help in any way I can. Who else is on our side? I live in a gated community in St Lucie county and I have hundreds of email addresses throughout the state. I will forward any communication or actions to them. Thanks again for standing with us. Patrick Mahoney, 1571 SE Ballantrae Ct. Port St Lucie Fl.34952. 772 337 2681.

**Ann Cole**

**From:** Ann Cole  
**Sent:** Friday, September 10, 2010 9:40 AM  
**To:** Office of Commissioner Skop  
**Cc:** Cristina Slaton; Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Call In Comments from FPL Customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

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080246-EI  
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060038-EI

Thank You,

*Bill McNulty*  
*Chief Advisor to Commissioner Skop*

9/10/2010

*Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
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DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

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**From:** Ann Cole  
**Sent:** Friday, September 10, 2010 9:39 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Thank You Commissioner Skop

Tracking: Recipient	Read
Office of Commissioner Skop	
Commissioners Advisors	
Administrative Assistants - Commission Suite	
Bill McNulty	Read: 9/10/2010 9:39 AM

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in all docket nos. listed below.

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Chief Advisor to Commissioner Skop  
Florida Public Service Commission  
2540 Shumard Oak Boulevard

9/10/2010

Tallahassee, FL 32399-0855  
(850) 413-6028 (office)  
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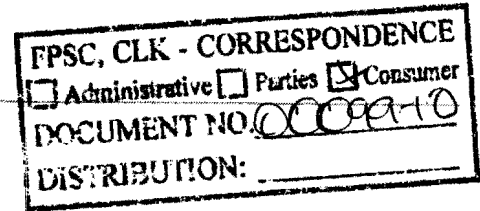
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**Sent:** Thursday, September 09, 2010 9:47 PM  
**To:** Office of Commissioner Skop  
**Subject:** Thank You Commissioner Skop

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*Thank You for your Fine Job as Commissioner.*

*Chris*

**Ann Cole**



**From:** Ann Cole  
**Sent:** Friday, September 10, 2010 9:38 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: FPL sues to silence regulator

Tracking: Recipient	Read
Office of Commissioner Skop	
Commissioners Advisors	
Administrative Assistants - Commission Suite	
Bill McNulty	Read: 9/10/2010 9:38 AM

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**Sent:** Friday, September 10, 2010 9:09 AM  
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Thank You,

*Bill McNulty*  
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 Florida Public Service Commission

9/10/2010

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(850) 413-6028 (office)  
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bmcnulty@psc.state.fl.us

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**From:** Patrick [mailto:pm2120@comcast.net]  
**Sent:** Friday, September 10, 2010 8:34 AM  
**To:** Office of Commissioner Skop  
**Cc:** pm2120@comcast.net  
**Subject:** FPL sues to silence regulator

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**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Thursday, September 09, 2010 10:58 AM  
**To:** Office Of Commissioner Graham  
**Cc:** Mark Long; Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Nuclear Rate increase

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

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

**From:** Betty Ashby On Behalf Of Office Of Commissioner Graham  
**Sent:** Thursday, September 09, 2010 9:12 AM  
**To:** Ann Cole  
**Cc:** Mark Long  
**Subject:** FW: Nuclear Rate increase

Please add to docket #000009.

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

**From:** Linda Drake (WireSpring) [mailto:lindad@wirespring.com]  
**Sent:** Wednesday, September 08, 2010 8:44 AM  
**To:** Office Of Commissioner Graham  
**Subject:** Nuclear Rate increase

I really really resent the fact that you just passed on what will be a huge increase in ratepayer bills.

You don't even have sound data to do so! How could you do this to the people that you're supposed to be representing?

How could you NOT insist that Oliveria be grilled on why FPL submitted outdated information?

If this is the way that you will be conducting yourself, I will be constantly writing both the governor and the senate committee because it appears that you are *\*not\** representing the ratepayers.

Linda M. Drake  
19861 NW 88 Ave  
Hialeah, FL 33018  
954-548-3300 ext 1523

9/9/2010

100009-EI

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, September 08, 2010 12:57 PM  
**To:** Office of Commissioner Brisé  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Nuclear Rate Increase

Thanks, Melanie. This information will be placed in Docket Correspondence - Consumers and their Representatives, in Docket No. 100009-EI.

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

From: Melanie Shanks On Behalf Of Office of Commissioner Brisé  
Sent: Wednesday, September 08, 2010 12:51 PM  
To: Ann Cole  
Subject: FW: Nuclear Rate Increase

Ann,

Please place in correspondence for Docket# 100009.

Thank you,  
Melanie

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO 00099-10		
DISTRIBUTION: _____		

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

From: Linda Drake (WireSpring) [mailto:lindad@wirespring.com]  
Sent: Wednesday, September 08, 2010 8:45 AM  
To: Office of Commissioner Brisé  
Subject: Nuclear Rate Increase

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How could you NOT insist that Oliveria be grilled on why FPL submitted outdated information?

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19861 NW 88 Ave  
Hialeah, FL 33018  
954-548-3300 ext 1523

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, September 08, 2010 11:39 AM  
**To:** Bill McNulty  
**Cc:** Cristina Slaton; Dorothy Menasco; Diamond Williams  
**Subject:** FW: Fragmented Correspondence

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

Thank you for bringing this to my attention. We will correct the frangmented pages and also put this e-mail communication at the top of the correspondence file, in *Docket Correspondence - Consumers and their Representatives*, Docket No. 100009-EI. I have appended the correct page sequence to this responce.

**From:** Bill McNulty  
**Sent:** Wednesday, September 08, 2010 11:12 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton  
**Subject:** Fragmented Correspondence

Ann,

Upon reviewing correspondence ("Consumers and their Representatives") in Docket No. 100009-EI, I found that an e-mail to the Chairman from Joe Laduca dated 8/28/10 at 2:15 PM was placed into the file but was fragmented. The subject line is "RE: Turkey Point Nuclear Expansion" (see Pages 20, 23, and 24 of "Consumers and their Representatives"). Could you please take corrective action to show the three pages of this communication sequenced at the top of the correspondence file?

Thank You,

*Bill McNulty*  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0855  
 (850) 413-6028 (office)  
 (850) 413-6029 (fax)  
[bmcnulty@psc.state.fl.us](mailto:bmcnulty@psc.state.fl.us)

**From:** Ann Cole  
**Sent:** Tuesday, August 31, 2010 8:30 AM  
**To:** Office of Commissioner Argenziano  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Turkey Point Nuclear Expansion - Did you know?

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

**From:** Office of Commissioner Argenziano

9/8/2010

**Sent:** Tuesday, August 31, 2010 8:28 AM  
**To:** Ann Cole  
**Subject:** FW: Turkey Point Nuclear Expansion - Did you know?

Please place this email in the file for docket #100009-EI.

---

**From:** joe laduca [mailto:joepah@att.net]  
**Sent:** Saturday, August 28, 2010 2:15 PM  
**To:** Office of Commissioner Argenziano  
**Subject:** Turkey Point Nuclear Expansion - Did you know?

Hello Ms Argenziano,

I used to be an Eng Mgr/Supv at the Turkey Point Nuclear Plant Power Uprate Project before retiring 2/09.

I've read that there are questions concerning FPL's presentation of outdated cost estimates to the FPSC for both the Turkey Point and Port St Lucie uprate projects.

Did you know that while the cost estimates were increasing, FPL was significantly reducing the scope of replacing old equipment with new upgraded equipment?

A wordy discussion is provided below, but the bottom line is that an independent technical assessment should be performed for the FPSC to determine if the current reduced scope of new equipment will adversely affect Turkey Points' ability to deliver the expected 15.5% power uprate, and to provide this power reliably. FPL's customers should not be shortchanged.

Also, an unrelated concern about this project is the projected 30% increase in spent fuel, every 9 months for 20 years. Long term storage in dry casks at Turkey Point will have to be paid by the customer.

Details:

What you may not know, and may be of greater concern, is that while the project price is increasing, the scope of equipment being replaced has been significantly reduced at Turkey Point from what the FPSC was originally presented. I made that presentation of that original scope of equipment replacement and upgrades to some of your representatives in 2008.

I don't know for sure but this scope reduction was probably pursued after the main contractor, Bechtel, provided their much higher cost

9/8/2010

estimates early 2009. Previous estimates were provided by another company, Shaw, who is not responsible for any of the physical work.

The problem with the change is both reliability and performance. The existing equipment is old and marginal for the current power level, and in many cases has NEVER been internally inspected to determine condition. Additionally, FPL is changing its longstanding practice of having one Condensate Pump in standby while two are operating, by operating all three pumps all the time.

Based on what I was told by others since I left, the items below are some of the equipment that was removed from the scope of the project. FPL would have to validate what actually changed and why it wouldn't affect the projected 15.5% power increase or the reliability of the old equipment. This equipment will be operating ~30% higher flow rates than originally designed. This increases wear rates significantly, and reduces operating margin.

- Feedwater heaters 1A, 1B, 2A, 2B, 3A, 3B, 4A and 4B. Total of 16 feedwater heaters for Units 3 and 4 are not being replaced. The Electric Power Research Institute (EPRI) has documented numerous cases at other nuclear plants where some of these same heaters failed within a year of power uprate, when the old heater was reused.
- Feedwater pumps 3A, 3B, 4A and 4B. FPL is now trying to upgrade the old pumps, which have a troubled operating history at the current power level.
- Feedwater pump motors. Memory fades on this one but I think they are reusing the old motors now.
- Condensate pump motors. New, upgraded motors were planned, but now I think they are reusing the old motors.

Regards,

Joe.

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Wednesday, September 08, 2010 9:31 AM  
**To:** Cristina Slaton  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Docket Correspondence  
**Attachments:** FW: Seabrook Asset Transfer; David Hoffman

Thank you for this information. The first attachment, from Robert H. Smith, will be placed in *Docket Correspondence - Parties and Interested Persons*, in Docket No. 100009-E1. The second attachment, from David Hoffman, will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1.

---

**From:** Cristina Slaton  
**Sent:** Wednesday, September 08, 2010 9:07 AM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** Docket Correspondence

Ann,

Please place the attached e-mails in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1.

Thanks,  
Cristina

9/8/2010

**Ann Cole**

---

**From:** DAVID HOFFMAN [hoffmanconsult@me.com]  
**Sent:** Thursday, September 02, 2010 8:42 PM  
**To:** Office of Commissioner Skop  
**Subject:** David Hoffman

Commissioner Skop,

I am the person who left the employment of FPL at Turkey Point on Feb 26, 2008 when the majority of Fl. lost power and both nuclear plants at Turkey Point went off line from the substation fault and I refused to restart the reactors as directed by FPL executives. I wanted to let you know you are taking the correct actions against FPL and to not be intimidated by the continued harassment FPL will place on you for taking actions against what they deem as burdensome.

FPL has already harmed you by the slanderous remarks in the public and the most recent motion to force you to be removed from the pending case in front of the PSC. I can tell you as a person who has been harmed by FPL beyond what anyone can understand, I am better off now than I was when I was making substantially more money working for them; as I'm certain you will be after leaving the PSC. You will never get past the irritation FPL has caused you but you will reflect back upon it in a few years and realize you are a better person - I am just now getting there after 2 1/2 years.

Do not give in to the political pressures FPL will present, and feel free to call upon me in any way you deem necessary to support your appointed duty to represent the citizens of Fl. I will make myself available to the PSC (I have cleared this with some of my lawyers but not all of them but I personally have no issue so feel free to force me to avoid the issues with my lawyers) to testify as to the intimidating and misleading behaviors of the FPL executives.

I will not however be able to say anything negative about Terry Jones as he hired me and has never said or done anything to negatively influence me while I worked at FPL or since I have left - I would actually have to say the opposite about him. He is the only one however. I do not personally know or had any professional interactions with Olivera as all of my dealings are nuclear with almost all of them being specifically located to Turkey Point.

I empathize with your current situation; I am very active in the nuclear industry so if I can assist you after you leave the PSC please let me know.

Respectfully,

David Hoffman  
11075 Paradela St.  
Coral Gables Fl. 33156  
(305) 733-5324

9/8/2010

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-

---

**DATE:** September 7, 2010  
**TO:** Ann Cole, Commission Clerk - PSC, Office of Commission Clerk  
**FROM:** Cristina Slaton, Executive Secretary to Commissioner Skop   
**RE:** Docket Correspondence

---

Ann,

Please place the attached correspondence sent to the Office of Commissioner Skop in the correspondence folder for docket number 100009-EI. This letter is from Mr. Robert Coyle of Margate, FL. Thank you.

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>00099-10</u>		
DISTRIBUTION: _____		

RECEIVED-FPSC  
10 SEP - 7 AM 10: 36  
COMMISSION  
CLERK



SEPT. 3, 2010

TO: SUN SENTINALS

"QUOTABLES"

WHERE DOES FPL CEO OLIVERA  
GET OFF THREATENING FL.P.S.C.

SKOP RE HIS REQUEST FOR  
FPL'S NUCLEAR COST.

THE PAYING CUSTOMERS WANT  
AN ANSWER, TOO.

9-3-10

Comments!

Please don't  
back down.

We all want answers  
to FPL's Nuclear Costs.

The FDLF should really  
investigate FPL accounts.

R. Coyle

Robert Coyle

47608 N.W. 18th St. #301

Margate FL 33063

954-971-7629 (private)



# FPL wants state utility regulator disqualified

By Susan Salisbury  
THE PALM BEACH POST

SEPT. 3, 2010

JUNO BEACH — Florida Power & Light Co. on Thursday asked a state utility regulator to disqualify himself from hearing deliberations about FPL.

Florida Public Service Commissioner Nathan Skop is hostile and adversarial toward FPL, FPL President Armando Olivera said Thursday in a letter to employees. "Unfortunately, we have concluded that

we cannot get a fair hearing from Commissioner Nathan Skop, who we believe is failing to demonstrate impartiality in his conduct toward FPL," Olivera wrote.

Based on Skop's remarks about the company, FPL believes he is unable to be fair in his quasi-judicial role. His term expires Jan. 1.

Barry Richard, a Tallahassee attorney with Greenberg Traurig LLP and FPL's counsel on the issue, said Skop will be asked Tuesday to make the decision him-

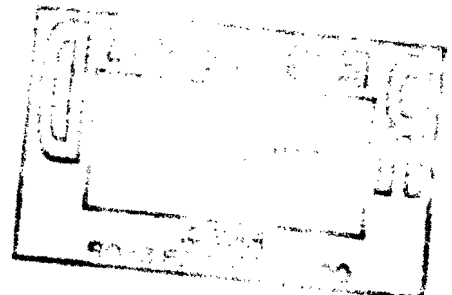
self. If Skop declines to disqualify himself, the company could go to the First District Court of Appeal.

On Aug. 26, Skop demanded a full hearing on FPL's nuclear costs, saying a consultant's report raised "red flags" about cost estimates the company provided last year.

"I have lost my job because I do my job," Skop said.

On Aug. 27, the PSC ordered Olivera and two others to answer regulators' questions about the nuclear costs:

DID OLIVERA ANSWER?



**Diamond Williams**

---

**From:** Diamond Williams  
**Sent:** Tuesday, September 07, 2010 10:12 AM  
**To:** Ann Cole  
**Cc:** Dorothy Menasco  
**Subject:** RE: Please call am Tuesday Sept 7 2010

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

Thank you for this information. This attachment has been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

---

**From:** Ann Cole  
**Sent:** Tuesday, September 07, 2010 9:58 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco  
**Subject:** FW: Please call am Tuesday Sept 7 2010

Please print and add to the correspondence file. Thank you.

---

**From:** Ann Cole  
**Sent:** Tuesday, September 07, 2010 9:57 AM  
**To:** Office of Commissioner Argenziano  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Please call am Tuesday Sept 7 2010

Thank you for this information. Diamond, please place this in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI. Thank you.

---

**From:** Office of Commissioner Argenziano  
**Sent:** Tuesday, September 07, 2010 9:32 AM  
**To:** Ann Cole  
**Subject:** FW: Please call am Tuesday Sept 7 2010

Please add this email to the file for docket#100009.

9/7/2010

---

**From:** danlarsen [mailto:danlarsen@bellsouth.net]  
**Sent:** Monday, September 06, 2010 12:00 AM  
**Subject:** Please call am Tuesday Sept 7 2010

Dear Chairman Nancy Argenizano,

Good Morning I would like the opportunity to speak on Tuesday Sept.7, 2010 concerning the FPL Hearing/issues before the PSC, On a few occasions when the trip to Tallahassee from West Palm Beach has been cumbersome the commission has granted me a few moments to speak thru telephonic communication. So please if this is feasible your judicial assistant can call me at 561-753-3335. This issue is very important to many. Your help would be greatly appreciated in putting staff in touch so I may speak on Tuesday Thank you for your consideration. Alexandria Larson

[http://www.palmbeachpost.com/money/fpl-to-state-psc-commissioner-should-stay-out-894376.html?showComments=true&page=2&more\\_comments=true&postingId=898890&sms\\_ss=email](http://www.palmbeachpost.com/money/fpl-to-state-psc-commissioner-should-stay-out-894376.html?showComments=true&page=2&more_comments=true&postingId=898890&sms_ss=email)

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Tuesday, September 07, 2010 9:09 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: I support you

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

---

**From:** Office of Commissioner Skop  
**Sent:** Tuesday, September 07, 2010 9:08 AM  
**To:** Ann Cole  
**Subject:** FW: I support you

Ann,

Please add the e-mail below in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

Thanks,  
 Cristina

---

**From:** PAUL DOOLEY [mailto:pdooley222@bellsouth.net]  
**Sent:** Friday, September 03, 2010 3:16 PM  
**To:** Office of Commissioner Skop  
**Subject:** I support you

Commissioner Skop:

Today I noted an article on page 3D of the Sun-Sentinel about FPL trying to remove you from the hearings about the company because you requested a hearing concerning nuclear cost. I sit on a quasi-judicial board here in Ft. Lauderdale and would be extremely offended if I were asked to step aside because I asked questions or requested information concerning a subject where questions existed. I believe that Mr. Armando Olivera, rather than work with the PSC, is attempting to direct the PSC decisions to only support the company he heads and to the detriment of the customers he is supposed to serve. I wish to encourage you "hang tight" against this affront to all of us who serve on these over-site boards. I would greatly appreciate knowing how this is settled.

Paul Dooley

9/7/2010

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Friday, September 03, 2010 11:59 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** RE: Reference Docket 100009

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>00099-10</u>		
DISTRIBUTION: _____		

Thank you for this information. This attachment has been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
 Staff Assistant  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
 Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

**From:** Ruth McHargue  
**Sent:** Thursday, September 02, 2010 4:04 PM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Reference Docket 100009

**Customer correspondence**

**From:** Michelle [mailto:[msraven@hughes.net](mailto:msraven@hughes.net)]  
**Sent:** Tuesday, August 31, 2010 1:44 AM  
**To:** Consumer Contact  
**Subject:** Reference Docket 100009

ATTN: Florida Public Service Commission

Progress Energy of Florida and Florida Power & Light each want to build two costly new nuclear reactors in Florida at costs of nearly \$10 billion per reactor. Due to bad legislation passed by the Florida Assembly in 2006 encouraging development in nuclear power, the utilities have AGAIN asked the FL PSC to approve charging customers for tens of millions of dollars in advance to pay for these reactors, which will raise electric bills before the reactors even produce electricity, if they're ever even built.

It is not fair for the utilities to continue to dip into Floridian's pocketbooks to pay in advance for building risky new nuclear reactors at FPL's Turkey Point nuclear plant near Miami and the proposed Progress site in Levy County. The PSC will vote on the issue on October 12, 2010.

Instead, Florida needs to move toward energy efficiency and clean, renewable energy that can protect Florida's families and businesses from financial risk as well as preserve Florida's vital natural resources on which Florida's economy relies.

Regards,

**Michelle M. Soule**  
 14346 83rd Lane North  
 Loxahatchee, FL 33470

This message is for the intended recipient's use only. It may contain sensitive and private proprietary or legally privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you are not the intended recipient, please immediately delete it and all copies of it from your system, destroy any hard copies of it and notify the sender. You must not, directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient.

9/3/2010

**Diamond Williams**

100009-EI

**From:** Diamond Williams  
**Sent:** Friday, September 03, 2010 11:58 AM  
**To:** Ellen Plendl  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Email for correspondence side of docket file

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**Attachments:** Reference Docket 100009; RE: Reference Docket 100009



Reference RE: Reference  
Docket 100009 Docket 100009

Thank you for this information. These attachments have been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Diamond Williams  
**Sent:** Friday, September 03, 2010 11:57 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Email for correspondence side of docket file

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

**From:** Ellen Plendl  
**Sent:** Friday, September 03, 2010 8:54 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** Email for correspondence side of docket file

Please add the attached email and PSC response to the correspondence side of docket file 100009-EI.

Thanks!

## Diamond Williams

---

**From:** Ellen Plendl  
**Sent:** Friday, September 03, 2010 8:53 AM  
**To:** 'dckamleiter@cs.com'  
**Subject:** RE: Reference Docket 100009

Ms. Diane Cardin-Kamleiter  
dckamleiter@cs.com

Dear Ms. Cardin-Kamleiter:

This is in response to your inquiry with the Florida Public Service Commission (PSC) recovery of prudently incurred preconstruction costs associated with nuclear power plants.

Florida Statute 366.93 indicates that after a petition for determination of need is granted, a utility may petition the commission for cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

In compliance with the Florida Statute, in February 2007 the PSC enacted a rule that adheres to the statute. Rule 25-6.0423, Florida Administrative Code, allows investor-owned utilities to recover costs for nuclear and coal gasification plants.

Upon PSC approval of a utility's need for a nuclear plant upgrade or new plant construction, the utility can petition for cost recovery. The PSC held the first annual nuclear cost recovery evidentiary hearings on September 11 and 12, 2008, where commissioners heard testimony from utility companies, consumer groups, and the public.

The next hearing in which the PSC will set the 2011 nuclear cost recovery will held on October 12, 2010. You may use the following link to view and listen to the hearings:

<http://www.floridapsc.com/agendas/audiovideo/index.aspx>

After each hearing, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

<http://www.floridapsc.com/agendas/audiovideo/archives/>

I will add your comments to the correspondence side of Docket No. 100009-EI regarding the nuclear cost recovery.

If you have any questions or concerns please call me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)



## Diamond Williams

---

**From:** dckamleiter@cs.com  
**Sent:** Friday, September 03, 2010 6:29 AM  
**To:** Consumer Contact  
**Cc:** Office of Commissioner Argenziano; Office Of Commissioner Graham; Office Of Commissioner Edgar; Office of Commissioner Skop  
**Subject:** Reference Docket 100009

Friday, September 03, 2010

To the Florida PSC officials Chairwoman Argenziano, Commissioners Graham, Polak Edgar, Skop and Brisé (\*)

Re: Reference Docket 100009

Nancy, Art, Lisa, Nathan and Ronald (\*):

This is a humble, yet begging plea to all of you:

Please do not authorize any additional rate increase, for the purpose of subsidizing the continuation of the folly of constructing of nuclear plants in Florida.

For my own sake, yours and for the sake of all generations to come. Just imagine, even if just for a second the occurrence of an earthquake similar to what Haiti suffered on January 12 of this year were to happen here in Florida. Be it tomorrow or in 2 years or even in 30 years, and the impact this would have of releasing stored uranium and other radioactive elements... Would you then, if you survive such a catastrophe be proud of being the ones responsible, by having authorized the construction and perpetuation of nuclear plants in this state? The existence of such plants could well result in compounding the number of deaths and the environmental destruction then suffered in this state.

Reading your respective bios, I see that in your past you have demonstrated a keen interest in protecting human and ecological life. My hopeful bet is that, individually and collectively, you are still capable of pursuing that same quality. Please, put this in perspective to inspire and help you achieve the best decision possible for all the people living here and now as well as who will live here in the future. I urge you all to become the best fiduciaries your position requires from each one of you, and to forget the mercantile interests of industrial actors, to instead aim at deciding that what matters is the life of the citizens of this state.

Diane Cardin-Kamleiter, St. Petersburg, Florida

(\*) Note: Email address of Commissioner Brisé non-provided on his bio webpage  
<http://www.psc.state.fl.us/about/commissioners/Brise.aspx>

Please have this item of correspondence relayed to him on my behalf.

9/3/2010

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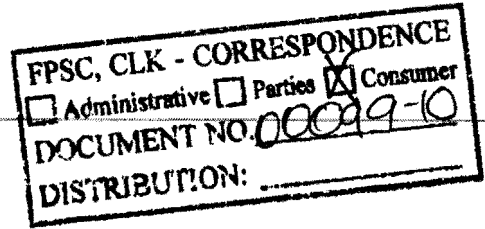
destruction then suffered in this state.

Reading your respective bios, I see that in your past you have demonstrated a keen interest in protecting human and ecological life. My hopeful bet is that, individually and collectively, you are still capable of pursuing that same quality. Please, put this in perspective to inspire and help you achieve the best decision possible for all the people living here and now as well as who will live here in the future. I urge you all to become the best fiduciaries your position requires from each one of you, and to forget the mercantile interests of industrial actors, to instead aim at deciding that what matters is the life of the citizens of this state.

Diane Cardin-Kamleiter, St. Petersburg, Florida

(\*) Note: Email address of Commissioner Brisé non-provided on his bio webpage  
<http://www.psc.state.fl.us/about/commissioners/Brise.aspx>

Please have this item of correspondence relayed to him on my behalf.



**Ann Cole**

**From:** Ann Cole  
**Sent:** Friday, September 03, 2010 8:33 AM  
**To:** Office Of Commissioner Edgar  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Reference Docket 100009

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

---

**From:** Office Of Commissioner Edgar  
**Sent:** Friday, September 03, 2010 8:25 AM  
**To:** Ann Cole  
**Subject:** FW: Reference Docket 100009

Please place this correspondence in Docket No. 100009-EI. Thank you.

*Roberta*

Roberta S. Bass  
Chief Advisor to Commissioner Edgar  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
(850) 413-6016 (Office)  
(850) 413-6017 (Facsimile)  
(850) 559-7291 (Mobile)  
[roberta.bass@psc.state.fl.us](mailto:roberta.bass@psc.state.fl.us)

---

**From:** [dckamleiter@cs.com](mailto:dckamleiter@cs.com) [mailto:[dckamleiter@cs.com](mailto:dckamleiter@cs.com)]  
**Sent:** Friday, September 03, 2010 6:29 AM  
**To:** Consumer Contact  
**Cc:** Office of Commissioner Argenziano; Office Of Commissioner Graham; Office Of Commissioner Edgar; Office of Commissioner Skop  
**Subject:** Reference Docket 100009

Friday, September 03, 2010

To the Florida PSC officials Chairwoman Argenziano, Commissioners Graham, Polak Edgar, Skop and Brisé (\*)

Re: Reference Docket 100009

Nancy, Art, Lisa, Nathan and Ronald (\*):

9/3/2010

This is a humble, yet begging plea to all of you:

Please do not authorize any additional rate increase, for the purpose of subsidizing the continuation of the folly of constructing of nuclear plants in Florida.

For my own sake, yours and for the sake of all generations to come. Just imagine, even if just for a second the occurrence of an earthquake similar to what Haiti suffered on January 12 of this year were to happen here in Florida. Be it tomorrow or in 2 years or even in 30 years, and the impact this would have of releasing stored uranium and other radioactive elements... Would you then, if you survive such a catastrophe be proud of being the ones responsible, by having authorized the construction and perpetuation of nuclear plants in this state? The existence of such plants could well result in compounding the number of deaths and the environmental destruction then suffered in this state.

Reading your respective bios, I see that in your past you have demonstrated a keen interest in protecting human and ecological life. My hopeful bet is that, individually and collectively, you are still capable of pursuing that same quality. Please, put this in perspective to inspire and help you achieve the best decision possible for all the people living here and now as well as who will live here in the future. I urge you all to become the best fiduciaries your position requires from each one of you, and to forget the mercantile interests of industrial actors, to instead aim at deciding that what matters is the life of the citizens of this state.

Diane Cardin-Kamleiter, St. Petersburg, Florida

(\*) Note: Email address of Commissioner Brisé non-provided on his bio webpage  
<http://www.psc.state.fl.us/about/commissioners/Brise.aspx>

Please have this item of correspondence relayed to him on my behalf.

**Ann Cole**

**From:** Ann Cole  
**Sent:** Friday, September 03, 2010 8:26 AM  
**To:** Office of Commissioner Argenziano  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Reference Docket 100009

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 100009-E1		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1.

**From:** Office of Commissioner Argenziano  
**Sent:** Friday, September 03, 2010 8:12 AM  
**To:** Ann Cole  
**Subject:** FW: Reference Docket 100009

Please add this to the file for the above noted docket.

**From:** dckamleiter@cs.com [mailto:dckamleiter@cs.com]  
**Sent:** Friday, September 03, 2010 6:29 AM  
**To:** Consumer Contact  
**Cc:** Office of Commissioner Argenziano; Office Of Commissioner Graham; Office Of Commissioner Edgar; Office of Commissioner Skop  
**Subject:** Reference Docket 100009

Friday, September 03, 2010

To the Florida PSC officials Chairwoman Argenziano, Commissioners Graham, Polak Edgar, Skop and Brisé (\*)

Re: Reference Docket 100009

Nancy, Art, Lisa, Nathan and Ronald (\*):

This is a humble, yet begging plea to all of you:

Please do not authorize any additional rate increase, for the purpose of subsidizing the continuation of the folly of constructing of nuclear plants in Florida.

For my own sake, yours and for the sake of all generations to come. Just imagine, even if just for a second the occurrence of an earthquake similar to what Haiti suffered on January 12 of this year were to happen here in Florida. Be it tomorrow or in 2 years or even in 30 years, and the impact this would have of releasing stored uranium and other radioactive elements... Would you then, if you survive such a catastrophe be proud of being the ones responsible, by having authorized the construction and perpetuation of nuclear plants in this state? The existence of such plants could well result in compounding the number of deaths and the environmental

9/3/2010

Administrative Parties  ConsumerDOCUMENT NO. 100009-10

DISTRIBUTION: \_\_\_\_\_

Ann Cole

100009-EI

---

**From:** Ann Cole  
**Sent:** Wednesday, September 01, 2010 10:58 AM  
**To:** Andrew Lutostanski; Chuck Hill  
**Cc:** Steve Larson  
**Subject:** RE: Interoffice Envelope Received August 31, j2010

Thanks, Andrew. Unless otherwise instructed, we will place this information in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI

---

**From:** Andrew Lutostanski  
**Sent:** Wednesday, September 01, 2010 9:18 AM  
**To:** Ann Cole; Chuck Hill  
**Cc:** Steve Larson  
**Subject:** RE: Interoffice Envelope Received August 31, j2010

This should not be cause for confusion--or for an email chain.

APM 2.10-3C.3. only requires that a staff person forward appropriate documents to CLK for placement in the record. That was satisfied.

The fact that this office is aware of these letters--and in fact sent them to you--should be apparent from the interoffice envelope.

If you are aware of any other reason we would forward you this type of communication, please advise.

---

**From:** Ann Cole  
**Sent:** Monday, August 30, 2010 5:05 PM  
**To:** Steve Larson; Andrew Lutostanski  
**Cc:** Dorothy Menasco  
**Subject:** Interoffice Envelope Received August 31, j2010

The Documents Section received an interoffice envelope with two letters to the Chairman. One from Thomas Eppes and one Representative Vasilinda. Please confirm that you are aware of these letters and, if so, that you would like for them to be placed in in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

I will hold these without action, pending further directions.

Thank you.

August 24, 2010

RECEIVED-FPSC

10 AUG 30 PM 3: 22

Commissioner Nancy Argenziano  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

COMMISSION  
CLERK

RE: Docket 100009

Dear Commissioner:

It was with deep regret that I learned of your ouster by the State Legislature. The current hearings may provide you with your last good opportunity to publicly confront Progress Energy Florida regarding its extremely costly and ineffective Energy Efficiency Programs.

You will recall that during a similar hearing on May 22, 2008, Alex Glenn claimed that PEF needed to build 2200 megawatts of additional nuclear capacity because it had already done all it could to reduce demand through its Energy Efficiency Programs. Documents on file with the PSC show that in 2008 those programs saved 196 gigawatt-hours at a cost of \$77.6 million, or 40 cents per kilowatt-hour.

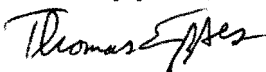
Other utilities do much better. PG&E Corporation saved 2844 gigawatt-hours through energy efficiency programs in 2008. At Edison International, energy efficiency programs cost 1.7 cents per kilowatt-hour. Nationally, the average cost of energy efficiency programs ranges from one to three cents per kilowatt-hour. Why can't PEF do as well?

The key to achieving such results is "decoupling" profits from sales volume. Under existing regulations, energy efficient customers are not in PEF's best interest; generous rates of return come from investments in new plants and equipment instead. It is time to change the rules.

Nationally, Florida ranks 3<sup>rd</sup> in total electricity consumption, but 4<sup>th</sup> in population and 21<sup>st</sup> in per capita income. Given the current recessionary problems, it is not in the public's best interest to grant PEF's request for a rate increase to help finance new capacity when a properly designed and executed Energy Efficiency Program would accomplish the same end at far less cost. James Fenton, Director of the Florida Solar Energy Center, has publicly stated that energy efficiency could easily save Floridians the equivalent of the output of about TEN nuclear power plants.

I know you will continue to do your best for the public in your remaining time at the Commission, and I thank you for your service.

Sincerely yours,



Thomas Eppes  
6900 Ulmerton Road #51  
Largo, Florida 33771  
Tf16123@aol.com



Rep. Michelle Rehwinkel Vasilinda  
Florida House of Representatives  
District 9

August 26, 2010

Chairman Nancy Argenziano  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Dear Chairman Argenziano:

I am writing to urge you and the rest of the Public Service Commission members to deny the requests from Florida Power & Light and Progress Energy to make advance collections for proposed nuclear plants. FP&L is requesting \$3.96 dollars from customers in 2011, while Progress Energy wants consumers to part with \$66.36 in the coming year. This is not the time for the utility companies to be collecting advance payments from consumers who may never have the use of the power generated from the plants, if they are ever built. I urge you and the other PSC commissioners to consider the serious negative impacts nuclear plants bring to our state.

Nuclear plant construction is *the* most costly type of energy construction worldwide. It is also the most lengthy – generally taking an average of 10-12 years for construction to production. Subsidizing FP&L and Progress Energy's nuclear plants construction on the backs of Floridians guarantees neither our future energy independence nor our safety and I urge you not to grant these companies the authority to collect the advance payments they seek.

You should also know nuclear energy is neither renewable nor clean. The PSC, through its previous approval of Progress Energy's increase, has in fact put its stamp of approval on a single and alarming route to addressing Florida's energy future. If truly clean, truly renewable, and truly safe energy projects had the same cost recovery deal that Progress Energy has crafted with the approval of the PSC, our economy, environment, national security and our citizens would be much better served. Our citizens deserve more than a single, extremely costly, and potentially dangerous approach to providing for future energy needs.

Nuclear production, transportation across state lines, and permanent disposal are fraught with potential legal liability and risks to our national security. Even with the ability to recycle some of the waste, dangerous waste will remain for thousands of years. Scientists have been working on this problem for decades, but we have still not solved it and it is unfair and unjust to pawn yet another problem off onto the next generation of Floridians.



Chairman Nancy Argenziano  
August 26, 2010  
Page Two

I appreciate the opportunity to express my concerns and your review of my letter.

Sincerely,

A handwritten signature in black ink that reads "Michelle Rehwinkel Vasilinda". The signature is written in a cursive, flowing style.

Michelle Rehwinkel Vasilinda  
Representative, District 09

MRV:aac

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Tuesday, August 31, 2010 11:46 AM  
**To:** Office of Commissioner Brisé  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: See breaking news article: FPL employees admits company did cover-up information!!

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

---

**From:** Melanie Shanks **On Behalf Of** Office of Commissioner Brisé  
**Sent:** Tuesday, August 31, 2010 10:59 AM  
**To:** Ann Cole  
**Subject:** FW: See breaking news article: FPL employees admits company did cover-up information!!

Ann,

Please in correspondence in Docket #100009-EI.

Thank you,  
Melanie

---

**From:** Bill Will [mailto:bill.will173@gmail.com]  
**Sent:** Thursday, August 26, 2010 3:35 PM  
**Subject:** See breaking news article: FPL employees admits company did cover-up information!!

As a customer I am shocked that you have allowed this. See this online story!!  
<http://miamiherald.typepad.com/nakedpolitics/2010/08/fpl-manager-we-edited-the-independent-investigative-report-.html>

You should have required their FPL president to testify. We are ashamed of you as a commission, particularly Commissioners Graham and Brise, to have not done more. You are in FPL's pockets and afraid to represent the people!!!

(copies to Governor, Attorney General and members of the Florida Senate)

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Tuesday, August 31, 2010 8:42 AM  
**To:** Office Of Commissioner Edgar  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Proposed Utility Rate Increases

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

**From:** Office Of Commissioner Edgar  
**Sent:** Tuesday, August 31, 2010 8:35 AM  
**To:** Ann Cole  
**Subject:** FW: Proposed Utility Rate Increases

Please place this correspondence in Docket No. 100009-EI. Thank you.

*Roberta*

Roberta S. Bass  
 Chief Advisor to Commissioner Edgar  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399  
 (850) 413-6016 (Office)  
 (850) 413-6017 (Facsimile)  
 (850) 559-7291 (Mobile)  
[roberta.bass@psc.state.fl.us](mailto:roberta.bass@psc.state.fl.us)

**From:** pwadolp@gmail.com [mailto:pwadolp@gmail.com]  
**Sent:** Tuesday, August 31, 2010 5:59 AM  
**To:** Office Of Commissioner Edgar  
**Subject:** Proposed Utility Rate Increases

Dear Chairman & Commissioners:

I am writing to voice my opposition to the proposed rate increases by Florida Power & Light and Progress Energy. These tough economic times mean every family and business-including mine is watching every dime we spend. This is not the time to burden the citizens and businesses of Florida with increases.

Thank you.

Mr. Patrick Adolphson  
 Project Manager  
 Walmart  
 2417 Pebble Valley Rd  
 31  
 Waukesha WI 53188  
 Email: [pwadolp@gmail.com](mailto:pwadolp@gmail.com)

8/31/2010

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Tuesday, August 31, 2010 8:30 AM  
**To:** Office of Commissioner Argenziano  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Turkey Point Nuclear Expansion - Did you know?

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

**From:** Office of Commissioner Argenziano  
**Sent:** Tuesday, August 31, 2010 8:28 AM  
**To:** Ann Cole  
**Subject:** FW: Turkey Point Nuclear Expansion - Did you know?

Please place this email in the file for docket #100009-EI.

**From:** joe laduca [mailto:joepah@att.net]  
**Sent:** Saturday, August 28, 2010 2:15 PM  
**To:** Office of Commissioner Argenziano  
**Subject:** Turkey Point Nuclear Expansion - Did you know?

Hello Ms Argenziano,

I used to be an Eng Mgr/Supv at the Turkey Point Nuclear Plant Power Uprate Project before retiring 2/09.

I've read that there are questions concerning FPL's presentation of outdated cost estimates to the FPSC for both the Turkey Point and Port St Lucie uprate projects.

Did you know that while the cost estimates were increasing, FPL was significantly reducing the scope of replacing old equipment with new upgraded equipment?

A wordy discussion is provided below, but the bottom line is that an independent technical assessment should be performed for the FPSC to determine if the current reduced scope of new equipment will adversely affect Turkey Points' ability to deliver the expected 15.5% power uprate, and to provide this power reliably. FPL's customers should not be shortchanged.

Also, an unrelated concern about this project is the projected 30% increase in spent fuel, every 9 months for 20 years. Long term storage in dry casks at Turkey Point will have to be paid by the customer.

8/31/2010

Ann Cole

From: Ann Cole  
Sent: Monday, August 30, 2010 4:04 PM  
To: Office Of Commissioner Graham  
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite  
Subject: RE: [AP1000] Problems in UK with AP1000

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1.

From: Linda Duggar On Behalf Of Office Of Commissioner Graham  
Sent: Monday, August 30, 2010 3:53 PM  
To: Ann Cole  
Subject: FW: [AP1000] Problems in UK with AP1000

Please see Mark's note. Thanks.

From: Mark Long  
Sent: Monday, August 30, 2010 1:37 PM  
To: Office Of Commissioner Graham  
Subject: RE: [AP1000] Problems in UK with AP1000

Yes, to DN 100009-E1 I believe. ml

From: Linda Duggar On Behalf Of Office Of Commissioner Graham  
Sent: Monday, August 30, 2010 1:19 PM  
To: Mark Long  
Subject: FW: [AP1000] Problems in UK with AP1000

Forward to CLK?

From: Barry White [mailto:bwtamia@bellsouth.net]  
Sent: Thursday, August 26, 2010 9:35 PM  
To: Barry White  
Subject: Fw: [AP1000] Problems in UK with AP1000

FYI. This is the reactor for which FPL is seeking approval for Turkey Point 6&7.

Barry J White  
CASE/Citizens Allied for Safe Energy, Inc  
Miami

Bar  
--- On Thu, 8/26/10, Arnie Gunderson <sailchamplain@gmail.com> wrote:

From: Arnie Gunderson <sailchamplain@gmail.com>  
Subject: [AP1000] Problems in UK with AP1000  
To: "AP1000" <AP1000@yahoogroups.com>  
Date: Thursday, August 26, 2010, 7:49 PM

guardian.co.uk


## UK's nuclear reactor programme falls behind schedule

Regulator and builders blame each other for construction hold-up as designs await approval

Tim Webb  
guardian.co.uk, Wednesday 25 August 2010 20:25 BST

**A** Image: iemail.co

guardian.co.uk © Guardian News and Media Limited 2010

 Nuclear plant in Flamanville, northwestern France under construction. French nuclear engineering specialist Areva is in a consortium behind one of the designs for the UK's first reactor under the building programme. Photograph: Christophe Ena/AP

The schedule for the UK's nuclear reactor building programme has slipped behind already, the safety regulator has admitted, reinforcing concerns that the first reactor will not be built on time.

The Health and Safety Executive (HSE) said it would probably have to issue an "interim" decision on the safety of the two new proposed reactor designs next June, the deadline for its assessment programme. The regulator expects significant chunks of extra work will remain before it can finally approve or reject the designs, but did not say how long this would take.

Kevin Allars, director of the assessment programme at the HSE, said that companies could continue planning and carry out preparatory construction on proposed nuclear sites while they waited for a final decision. But he insisted that construction of a reactor could not start without its consent.

Allars promised there would be no repeat of the chaotic construction in Finland of what was supposed to be Europe's first new reactor in decades. The Areva plant is more than three years behind schedule and more than €2bn (£1.6bn) over budget, with the Finnish regulator trying to approve each component of the design while it is being built. EDF has promised that the UK's first reactor will be operational in 2018, although it had originally said it would be running by the end of 2017.

The HSE said the companies behind the designs – French consortium Areva, EDF and US firm Westinghouse – had been repeatedly submitting information which was incomplete and late.

In turn, the companies are blaming the regulator for not having sufficient resources to carry out the work. The Guardian revealed last year that the arm of the HSE which was carrying out the work – the Nuclear Installations Inspectorate (NII) – had been forced to hire more than a dozen project managers, even though they work for the companies hoping to build the designs under review.

In its quarterly update on the assessment programme, the HSE admitted that this risk of a conflict of interest was a "factor of increasing significance" which it said it would "continue to monitor closely".

Westinghouse, which has put forward its AP1000 reactor design, comes in for particularly harsh criticism. Allars said of the company: "It's very frustrating. We get a load [of work] in late and then we do not get what we were promised or of the quality we were promised. If this carries on they won't get a design acceptance."

The HSE has already raised a red flag over Westinghouse's civil engineering plans for key structures making up the reactor core, which the regulator says are not sufficiently robust. The company was supposed to carry out further analysis by the end of June, but most of this has been delayed, while what had been done "fell significantly short of what we expected".

"Significant issues" are also flagged for Westinghouse's planned control and instrumentation systems to operate the reactor. The company missed a June deadline to provide information on reactor chemistry, "which does not help our confidence that Westinghouse will meet future delivery dates", said the HSE.

A Westinghouse spokesman said: "We accept that some of our input in one or two areas has not met the regulator's expectations."

A Greenpeace spokesman said: "The generic design assessment [GDA] process has already unearthed a string of nasty surprises within the new nuclear reactors' designs. But now we find out GDA won't even be able to give a final green light to the reactor designs. This means we could be faced with the farcical situation where the government is letting utilities press ahead with building work for reactors that haven't been given safety approval."

## Details:

What you may not know, and may be of greater concern, is that while the project price is increasing, the scope of equipment being replaced has been significantly reduced at Turkey Point from what the FPSC was originally presented. I made that presentation of that original scope of equipment replacement and upgrades to some of your representatives in 2008.

I don't know for sure but this scope reduction was probably pursued after the main contractor, Bechtel, provided their much higher cost estimates early 2009. Previous estimates were provided by another company, Shaw, who is not responsible for any of the physical work.

The problem with the change is both reliability and performance. The existing equipment is old and marginal for the current power level, and in many cases has NEVER been internally inspected to determine condition. Additionally, FPL is changing its longstanding practice of having one Condensate Pump in standby while two are operating, by operating all three pumps all the time.

Based on what I was told by others since I left, the items below are some of the equipment that was removed from the scope of the project. FPL would have to validate what actually changed and why it wouldn't affect the projected 15.5% power increase or the reliability of the old equipment. This equipment will be operating ~30% higher flow rates than originally designed. This increases wear rates significantly, and reduces operating margin.

- Feedwater heaters 1A, 1B, 2A, 2B, 3A, 3B, 4A and 4B. Total of 16 feedwater heaters for Units 3 and 4 are not being replaced. The Electric Power Research Institute (EPRI) has documented numerous cases at other nuclear plants where some of these same heaters failed within a year of power uprate, when the old heater was reused.
- Feedwater pumps 3A, 3B, 4A and 4B. FPL is now trying to upgrade the old pumps, which have a troubled operating history at the current power level.
- Feedwater pump motors. Memory fades on this one but I think

they are reusing the old motors now.

- Condensate pump motors. New, upgraded motors were planned, but now I think they are reusing the old motors.

Regards,

Joe.



**Ann Cole**

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Thursday, August 26, 2010 8:41 AM  
**To:** Office of Commissioner Argenziano  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Docket 100009

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1.

**From:** Office of Commissioner Argenziano  
**Sent:** Thursday, August 26, 2010 8:25 AM  
**To:** Ann Cole  
**Subject:** FW: Docket 100009

Please add to the docket file for the above noted docket.

**From:** tf16123@aol.com [mailto:tf16123@aol.com]  
**Sent:** Wednesday, August 25, 2010 11:50 AM  
**To:** Office of Commissioner Argenziano  
**Subject:** Docket 100009

Dear Commissioner:

It was with deep regret that I learned of your ouster by the State Legislature. The current hearings may provide you with your last good opportunity to publicly confront Progress Energy Florida regarding its extremely costly and ineffective Energy Efficiency Programs.

You will recall that during a similar hearing on May 22, 2008, Alex Glenn claimed that PEF needed to build 2200 megawatts of additional nuclear capacity because it had already done all it could to reduce demand through its Energy Efficiency Programs. Documents on file with the PSC show that in 2008 those programs saved 196 gigawatt-hours at a cost of \$77.6 million, or 40 cents per kilowatt-hour.

Other utilities do much better. PG&E Corporation saved 2844 gigawatt-hours through energy efficiency programs in 2008. At Edison International, energy efficiency programs cost 1.7 cents per kilowatt-hour. Nationally, the average cost of energy efficiency programs ranges from one to three cents per kilowatt-hour. Why can't PEF do as well?

The key to achieving such results is "decoupling" profits from sales volume. Under existing regulations, energy efficient customers are not in PEF's best interest; generous rates of return come from investments in new plants and equipment instead. It is time to change the rules.

Nationally, Florida ranks 3rd in total electricity consumption, but 4th in population and 21st in per capita income. Given the current recessionary problems, it is not in the public's best interest to grant PEF's request for a rate increase to help finance new capacity when a properly designed and executed Energy Efficiency Program would accomplish the same end at far less cost. James Fenton, Director of the Florida Solar Energy Center, has publicly stated that energy efficiency could easily save Floridians the equivalent of the output of about TEN nuclear power plants.

I know you will continue to do your best for the public in your remaining time at the Commission, and I thank you

8/26/2010

for your service.

Sincerely yours,

Thomas Eppes  
6900 Ulmerton Road #51  
Largo, Florida 33771  
321-663-8716

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Saturday, August 28, 2010 8:14 AM  
**To:** Office of Commissioner Brisé  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: See breaking news article: FPL employees admits company did cover-up information!!

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1, on Monday.

---

**From:** Melanie Shanks **On Behalf Of** Office of Commissioner Brisé  
**Sent:** Friday, August 27, 2010 5:40 PM  
**To:** Ann Cole  
**Subject:** FW: See breaking news article: FPL employees admits company did cover-up information!!

Anne,

Please place in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 10009-E1.

---

**From:** Bill Will [mailto:bill.will173@gmail.com]  
**Sent:** Thursday, August 26, 2010 3:35 PM  
**Subject:** See breaking news article: FPL employees admits company did cover-up information!!

As a customer I am shocked that you have allowed this. See this online story!!  
<http://miamiherald.typepad.com/nakedpolitics/2010/08/fpl-manager-we-edited-the-independent-investigative-report-.html>

You should have required their FPL president to testify. We are ashamed of you as a commission, particularly Commissioners Graham and Brise, to have not done more. You are in FPL's pockets and afraid to represent the people!!!

(copies to Governor, Attorney General and members of the Florida Senate)

8/28/2010

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Thursday, August 26, 2010 4:20 PM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: See breaking news article: FPL employees admits company did cover-up information!!

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-El.

---

**From:** Office of Commissioner Skop  
**Sent:** Thursday, August 26, 2010 4:00 PM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** FW: See breaking news article: FPL employees admits company did cover-up information!!

Ann,

Please add the e-mail below and the article referred to in the link to *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-El.

Thanks,  
Cristina

---

**From:** Bill Will [mailto:bill.will173@gmail.com]  
**Sent:** Thursday, August 26, 2010 3:35 PM  
**Subject:** See breaking news article: FPL employees admits company did cover-up information!!

As a customer I am shocked that you have allowed this. See this online story!!  
<http://miamiherald.typepad.com/nakedpolitics/2010/08/fpl-manager-we-edited-the-independent-investigative-report-.html>

You should have required their FPL president to testify. We are ashamed of you as a commission, particularly Commissioners Graham and Brise, to have not done more. You are in FPL's pockets and afraid to represent the people!!!

(copies to Governor, Attorney General and members of the Florida Senate)

8/26/2010

**Diamond Williams**

**From:** Ann Cole  
**Sent:** Thursday, August 26, 2010 8:47 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco  
**Subject:** FW: Corporate Audacity

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION: _____		

Correction. Please move this from *Docket Correspondence - Parties and Interested Persons to - Consumers and their Representatives*, in Docket No. 10009-EI. Thank you.

---

**From:** Ann Cole  
**Sent:** Wednesday, August 25, 2010 10:58 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Corporate Audacity

Thank you for this information, which will be placed in *Docket Correspondence - Parties and Interested Persons*, in Docket No. 100009-EI.

---

**From:** Office of Commissioner Skop  
**Sent:** Wednesday, August 25, 2010 9:33 AM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** FW: Corporate Audacity

Ann,

Please add the e-mail below to the docket correspondence folder for 100009-EI.

Thanks,  
Cristina

---

**From:** Barry White [mailto:bwtamia@bellsouth.net]  
**Sent:** Wednesday, August 25, 2010 9:30 AM  
**To:** Office of Commissioner Argenziano; Office of Commissioner Skop  
**Subject:** Corporate Audacity

Throw the book at FPL. Get the Attorney General on it. Charge them criminally with everything you can think of. And, now that the Supreme Court says corporations are citizens, charge FPL like a citizen too; indict not just the officers, but the whole corporation.

You are lame ducks; nothing to lose. Go out in a blaze of glory, Rambo and Rambette!

Have fun. But nail'em. This is what comes of a system that gives to much power to one or a few companies, CORPORATE AUDACITY!

8/26/2010

Barry J White  
CASE/Citizens Allied for Safe Energy, Inc.  
Miami

**Ann Cole**

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
<b>DOCUMENT NO.</b> 00009-0		
<b>DISTRIBUTION:</b> _____		

**From:** Ann Cole  
**Sent:** Wednesday, August 25, 2010 10:58 AM  
**To:** Office of Commissioner Skop  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Corporate Audacity

Thank you for this information, which will be placed in *Docket Correspondence - Parties and Interested Persons*, in Docket No. 100009-EI.

---

**From:** Office of Commissioner Skop  
**Sent:** Wednesday, August 25, 2010 9:33 AM  
**To:** Ann Cole  
**Cc:** Bill McNulty  
**Subject:** FW: Corporate Audacity

Ann,

Please add the e-mail below to the docket correspondence folder for 100009-EI.

Thanks,  
Cristina

---

**From:** Barry White [mailto:bwtamia@bellsouth.net]  
**Sent:** Wednesday, August 25, 2010 9:30 AM  
**To:** Office of Commissioner Argenziano; Office of Commissioner Skop  
**Subject:** Corporate Audacity

Throw the book at FPL. Get the Attorney General on it. Charge them criminally with everything you can think of. And, now that the Supreme Court says corporations are citizens, charge FPL like a citizen too; indict not just the officers, but the whole corporation.

You are lame ducks; nothing to lose. Go out in a blaze of glory, Rambo and Rambette!

Have fun. But nail'em. This is what comes of a system that gives to much power to one or a few companies, CORPORATE AUDACITY!

Barry J White  
CASE/Citizens Allied for Safe Energy, Inc.  
Miami

100009-E1

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Wednesday, August 25, 2010 2:35 PM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
<b>DOCUMENT NO.</b> 00099-10		
<b>DISTRIBUTION:</b> _____		

Thank you for this information. This attachment has been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-E1.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Wednesday, August 25, 2010 2:19 PM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Wednesday, August 25, 2010 1:42 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009- response requested

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

**From:** Webmaster  
**Sent:** Wednesday, August 25, 2010 11:59 AM  
**To:** Consumer Contact  
**Subject:** FW: My contact



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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]

Sent: Wednesday, August 25, 2010 11:29 AM

To: Webmaster

Subject: My contact

Contact from a Web user

Contact Information:

Name: George Zentefis

Company: Lester's Diner

Primary Phone: 954-979-4722

Secondary Phone: 954-445-0533

Email: lestersdiner2@gmail.com

Response requested? Yes

CC Sent? No

Comments:

“Regulators approved charging customers \$63 million this year for planning the proposed nuclear projects. PSC hearings start Tuesday on FPL's proposal to charge customers for \$31 million for nuclear projects next year”

If we are going to pay for this we should get the benefits. Why doesn't the state return the money as incentives to install more solar energy panels and more turbines? Why if I do install a photovoltaics I'm only allowed to produce 80% of my consumption? We should be allowed to produce over 100% and get FPL to pay owners of photovoltaics systems back. Like N.Y does. This should be a issue on the next upcoming elections.

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Tuesday, August 24, 2010 12:07 PM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Internal	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
BY RESOLUTION:		

**Attachments:** Nuclear Reactor #100009; RE: My contact; RE: My contact; Docket 100009.; Docket 100009.; Nuclear Reactors; Re: [BrowardGreens] Docket 100009; Docket 100009: New Nukes in Florida; Docket 100009

Thank you for this information. These attachments have been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket 100009-EI.

Thank you,

Diamond Williams  
 Staff Assistant  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
 Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

---

**From:** Ruth McHargue  
**Sent:** Tuesday, August 24, 2010 12:06 PM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

---

**From:** Diane Hood  
**Sent:** Tuesday, August 24, 2010 10:32 AM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

These have been entered as info request, docket 100009, closeout code PR69. I have used the appropriate company code when indicated which company they receive service from. DH

8/24/2010

## Diamond Williams

---

**From:** George Pratt [haystack-92@tampabay.rr.com]  
**Sent:** Thursday, August 19, 2010 12:06 PM  
**To:** Consumer Contact  
**Subject:** Nuclear Reactor #100009

**Have we not been paying for the construction of the reactor in Levy County? Have all the approvals to proceed been satisfied? If not when? What assurance do the citizens have that the reactor will be built in the foreseeable future? Now you want to duplicate the same effort for Dade County, what is wrong w/ this picture? Collect millions but have no assurance that a plant will ever be built is not in the best interests of Fl. I suggest one gets their ducks in a row w/ approvals and the timetable so it can be properly presented to the citizens.**

## Diamond Williams

---

**From:** Webmaster  
**Sent:** Friday, August 20, 2010 8:17 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Thursday, August 19, 2010 8:05 PM  
**To:** Webmaster  
**Cc:** cgrottie@aol.com  
**Subject:** My contact

Contact from a Web user

**Contact Information:**  
**Name:** craig walker  
**Company:** none  
**Primary Phone:** 352-620-8893  
**Secondary Phone:** none  
**Email:** cgrottie@aol.com

**Response requested?** Yes  
**CC Sent?** Yes

**Comments:**

We have an unemployment rate of 14.5 here in marion county. Any rate increase at this time would cause more harm to an already poor economy. Why is it that the people with the least are asked to struggle the most? Progress energy needs to look within before looking to cause more harm to the public. Please do not increase the rates on those that can afford it the least.

## Diamond Williams

---

**From:** Webmaster  
**Sent:** Friday, August 20, 2010 8:17 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Friday, August 20, 2010 7:51 AM  
**To:** Webmaster  
**Subject:** My contact

Contact from a Web user

Contact Information:

**Name:** John Carver  
**Company:** none  
**Primary Phone:** 352-528-2186  
**Secondary Phone:** 352-528-2186  
**Email:** johnjasoncarver@yahoo.com

Response requested? No

CC Sent? No

Comments:

As y'all debate the rate increase by Progress, be aware that many people are going to fight construction of the 2 Levy Co. nuclear reactors. I will chain myself to bulldozers. I will do everything in my power to delay construction, increase costs for Progress, and generally make things difficult for them to put these monstrosities upwind from me. This will only increase the costs further, requiring even further rate increases. Please take this into consideration as y'all debate.

**Diamond Williams**

---

**From:** Theresa Waldron [freedomway1@gmail.com]  
**Sent:** Saturday, August 21, 2010 10:05 AM  
**To:** Consumer Contact  
**Subject:** Docket 100009.

Hello,

Please turn down any requests for financial support in any way to further the building or maintenance of any nuclear reactor. Our time in history is past the nuclear reactor. Now we must deeply invest in renewables, not only for independence from oil but for world trade and cost effectiveness. Germany and China are already far surpassing us in development and production of solar products. Why must our country come in last on this table? Use your common sense. The old ways are not applicable any more. What is best for the USA is deep investment in solar, wind, thermal and hydro. You know it, please act on it.

Sincere thanks for a sustainable future,  
Theresa Waldron  
PO Box 438  
Lecanto, Fl 34460

## Diamond Williams

---

**From:** Michael [funkyp@bellsouth.net]  
**Sent:** Saturday, August 21, 2010 4:13 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009.

Re: Docket 100009

The lesson of BP should be heeded and we should not allow these dangerous and expensive power plants to be built in Florida.

I am unconvinced that this so called 'clean' energy is cheap nor is it safe.

I do not wish my money to be used to finance this unwise project, and I do not want to risk the Florida aquifer when we have abundant sunshine and wind in our state.

No No No to nuclear power.

Michael Parker

**Diamond Williams**

---

**From:** Cielukowski, John E [John.E.Cielukowski@iapws.com]  
**Sent:** Monday, August 23, 2010 8:42 AM  
**To:** Consumer Contact  
**Subject:** Nuclear Reactors

To Whom it May Concern,

Please, no Rate Hikes for New Nuclear Reactors.  
Thank you.

John Cielukowski  
Cocoa Beach, FL

---

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**Diamond Williams**

---

**From:** Bill Savarese [billsavarese@yahoo.com]  
**Sent:** Monday, August 23, 2010 8:53 PM  
**To:** Consumer Contact; BrowardGreens@yahoogroups.com  
**Subject:** Re: [BrowardGreens] Docket 100009

Well said Cara!

**Bill Savarese, artist**  
 Public Art Chair  
 Oakland Park Main Street  
 1700 NE 17th Terrace  
 Ft. Lauderdale, Fl. 33305  
 (954) 562 3659 cell  
 (954) 568 7648 fax  
 billsavarese@yahoo.com  
 www.muralsbybill.com

--- On **Mon, 8/23/10**, Cara Campbell <clc@slashconsumption.com> wrote:

From: Cara Campbell <clc@slashconsumption.com>  
 Subject: [BrowardGreens] Docket 100009  
 To: contact@psc.state.fl.us  
 Date: Monday, August 23, 2010, 9:53 AM

PSC Members:

Given that nuclear reactors are not sound enough investments to attract independent investors, it is unwise, irresponsible, and unfair to force Floridians to invest in these schemes. Both Progress and FPL have embarrassingly bad efficiency and conservation records. First, let's make conservation and efficiency measures more stringent. Let's also look at the fact that either utility could install distributed solar on rooftops (not huge farms that destroy hundreds of acres of carbon sink trees to build a vast solar array) and this would easily solve any purported energy short-falls. I say purported because research indicates the demand for power is down and as there is no prospect of the economy recovering any time soon, the proposed reactors are not needed.

It is unacceptable that these utilities are allowed to take billions of dollars in advance from captive rate-payers with no return to us. We are being forced to invest, against our wills, in a risky boondoggle with no financial return for our investment and no guarantee of repayment if the investment turns out to be a bad one.

Theoretically you are there to make fair decisions for the public. Allowing one more cent for nuclear reactors is unconscionable.

Cara Campbell  
 641 SW 6 Ave  
 Ft. Lauderdale, FL 33315

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[Messages in this topic](#) (1)

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8/24/2010

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To see all messages:

<http://groups.yahoo.com/group/BrowardGreens/messages>

To unsubscribe from this group:

<mailto:BrowardGreens-unsubscribe@yahogroups.com>

---

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**Diamond Williams**

---

**From:** Ross McCluney [rm@sunpine.us]  
**Sent:** Monday, August 23, 2010 9:52 AM  
**To:** Consumer Contact  
**Subject:** Docket 100009: New Nukes in Florida

Please,

No new nukes in Florida. They are very expensive. They take a long time to construct before they generate revenue. They burden the taxpayers with the costs of insurance policies which the private insurance industry won't write and the nuclear industry cannot afford. They emit low level radioactive materials that are invisible, odorless, and tasteless, and usually don't cause harm until years later. Except when there is an accident or terrorist attack, in which case, they can emit huge quantities of dangerous and deadly high level radioactive materials.

Florida is the sunshine state. Better to promote energy conservation, a wiser investment of precious dollars, and renewable energy sources. These are way more labor-intensive than nuclear plants. They put people to work, are smaller in scale and quicker to return revenue following the expenditure of investments, and much safer for the manufacturing and installation workers.

The solar systems don't have to be large central station power plants but can be placed on the roofs of square miles of warehouses and office buildings, space that is currently nearly wasted, without requiring new land or trees being cleared. The utilities could lease these spaces for modest costs and keep the solar systems operating and feeding their grids, perhaps even storing some of the electricity on site for emergency use in the event of short-term grid outages. This feature has valid economic value and can be sold to customers.

The distributed plants can be partially or wholly owned by the private sector, separate from the utility, or by the utility companies, or by consortia of private and utility owners. The advantage of utility ownership and operation is that these entities have existing infrastructure and expertise that can easily be expanded to service and maintain the new renewable energy systems.

This alternative makes way more sense for the people, for the government, and for the utilities themselves than heavy investments in nuclear power plants that could become obsolete by the time they go online, if they aren't already. The financial arguments alone should doom new nuclear power plants. Please don't let the utility companies you regulate make these monumentally unwise investments in new nuclear power plants in Florida, whether they are on new land or existing production facilities.

Dr. Ross McCluney  
Research physicist  
SunPine Consulting  
www.sunpineconsulting.com  
rm@sunpine.us  
VP R&D Sunflower Corporation

8/24/2010

[www.sunflowerdaylighting.com](http://www.sunflowerdaylighting.com)  
Principal Research Scientist, retired  
Florida Solar Energy Center  
a research institute of the University of Central Florida  
[www.fsec.ucf.edu](http://www.fsec.ucf.edu)

219 Johnson Ave.  
Cape Canaveral, FL 32920  
321-917-8292 (cell)

**"I'd put my money on the sun and solar energy. What a source of power! I hope that we don't have to wait 'til oil and coal run out before we tackle that" - Thomas A. Edison (1847-1931)**

**"Anyone can make the simple complicated.  
Creativity is making the complicated simple."  
—Charles Mingus**

## Diamond Williams

---

**From:** Cara Campbell [clc@slashconsumption.com]  
**Sent:** Monday, August 23, 2010 9:53 AM  
**To:** Consumer Contact  
**Subject:** Docket 100009

PSC Members:

Given that nuclear reactors are not sound enough investments to attract independent investors, it is unwise, irresponsible, and unfair to force Floridians to invest in these schemes. Both Progress and FPL have embarrassingly bad efficiency and conservation records. First, let's make conservation and efficiency measures more stringent. Let's also look at the fact that either utility could install distributed solar on rooftops (not huge farms that destroy hundreds of acres of carbon sink trees to build a vast solar array) and this would easily solve any purported energy short-falls. I say purported because research indicates the demand for power is down and as there is no prospect of the economy recovering any time soon, the proposed reactors are not needed.

It is unacceptable that these utilities are allowed to take billions of dollars in advance from captive rate-payers with no return to us. We are being forced to invest, against our wills, in a risky boondoggle with no financial return for our investment and no guarantee of repayment if the investment turns out to be a bad one.

Theoretically you are there to make fair decisions for the public. Allowing one more cent for nuclear reactors is unconscionable.

Cara Campbell  
641 SW 6 Ave  
Ft. Lauderdale, FL 33315

8/24/2010

**Ann Cole**

PSC, CLK - CORRESPONDENCE	
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Personal
DOCUMENT NO. 00099-10	
FILE RESOLUTION:	

**From:** Ann Cole  
**Sent:** Tuesday, August 24, 2010 9:26 AM  
**To:** Office Of Commissioner Edgar  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Please Deny Early Cost Recovery funds for Turkey Point 6&7  
**Attachments:** PSC TP 6&7 Not needed gunderson.pdf; CASE PETITION TO INTERVENE NEW RELEASE.pdf

Thank you for this information. The two attachments, which were previously forwarded to me from Linda Dugger, will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket Nos. 100009-EI.

**From:** Office Of Commissioner Edgar  
**Sent:** Tuesday, August 24, 2010 9:12 AM  
**To:** Ann Cole  
**Subject:** FW: Please Deny Early Cost Recovery funds for Turkey Point 6&7

Please place this correspondence in Docket No. 100009-EI. Thank you.

*Roberta*

Roberta S. Bass  
 Chief Advisor to Commissioner Edgar  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399  
 (850) 413-6016 (Office)  
 (850) 413-6017 (Facsimile)  
 (850) 559-7291 (Mobile)  
[roberta.bass@psc.state.fl.us](mailto:roberta.bass@psc.state.fl.us)

**From:** Barry White [mailto:bwtamia@bellsouth.net]  
**Sent:** Monday, August 23, 2010 5:48 PM  
**To:** Office Of Commissioner Graham; Office Of Commissioner Edgar; Office of Commissioner Argenziano; Office of Commissioner Skop; rbrise@rab4108.com  
**Cc:** J.R. Kelly; Gov Charlie Crist  
**Subject:** Please Deny Early Cost Recovery funds for Turkey Point 6&7

On behalf of the 125 members of CASE/Citizens Allied for Safe Energy, Inc., a Florida non-profit corporation based in Miami-Dade County, FL, we are asking that you not authorize any more funds to be spent by FPL toward the planning for and/or construction of Turkey Points 6&7. As the attached information reflects, due to many factors, spending money beyond the \$225,000,000 which FPL has already spent, and on which FPL customers are paying the interest, and which they will eventually pay for in full, cannot be justified.

Since the AP1000 reactors planned for Turkey Point 6&7 have not been approved by the NRC and since FPL has put off their completion at least until 2022/2023 and since FPL has already estimated the over-

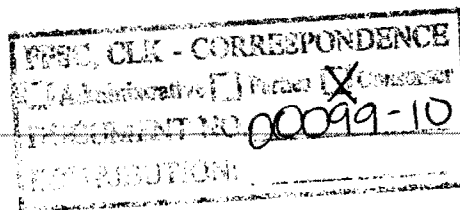
8/24/2010

night cost  
at \$24,000,000,000, for which FPL customers will also pay if they  
are approved, approving the expenditure of funds at this time does not seem warranted.

Please deny the funds and put the project on hold until such time as the  
need for the reactors and the possibility of alternative, renewable energy sources has been carefully and  
fully considered. We cannot afford to spend any funds in this manner when many critical parts of our  
government services are going begging and vital programs are being eliminated for lack of funds and  
when the eventual construction of  
the reactors is so tenuous.

Thank you for your service to The State Of Florida.

Barry J. White  
Treasurer/Director  
CASE/Citizens Allied for Sate Energy, Inc.  
Miami-Dade County, FL

**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, August 24, 2010 9:17 AM  
**To:** Linda Duggar  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Please Deny Early Cost Recovery funds for Turkey Point 6&7  
**Attachments:** PSC TP 6&7 Not needed gunderson.pdf; CASE PETITION TO INTERVENE NEW RELEASE.pdf

Thanks, Linda. The two attachments have been printed and, unless otherwise instructed, will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket Nos. 10009-E1.

---

**From:** Linda Duggar **On Behalf Of** Office Of Commissioner Graham  
**Sent:** Tuesday, August 24, 2010 7:13 AM  
**To:** Ann Cole  
**Cc:** Mark Long  
**Subject:** FW: Please Deny Early Cost Recovery funds for Turkey Point 6&7

Ann, I guess this one needs to go in the documents correspondence for this docket. Thanks.

---

**From:** Barry White [mailto:bwtamia@bellsouth.net]  
**Sent:** Monday, August 23, 2010 5:48 PM  
**To:** Office Of Commissioner Graham; Office Of Commissioner Edgar; Office of Commissioner Argenziano; Office of Commissioner Skop; rbrise@rab4108.com  
**Cc:** J.R. Kelly; Gov Charlie Crist  
**Subject:** Please Deny Early Cost Recovery funds for Turkey Point 6&7

On behalf of the 125 members of CASE/Citizens Allied for Safe Energy, Inc., a Florida non-profit corporation based in Miami-Dade County, FL, we are asking that you not authorize any more funds to be spent by FPL toward the planning for and/or construction of Turkey Points 6&7. As the attached information reflects, due to many factors, spending money beyond the \$225,000,000 which FPL has already spent, and on which FPL customers are paying the interest, and which they will eventually pay for in full, cannot be justified.

Since the AP1000 reactors planned for Turkey Point 6&7 have not been approved by the NRC and since FPL has put off their completion at least until 2022/2023 and since FPL has already estimated the overnight cost at \$24,000,000,000, for which FPL customers will also pay if they are approved, approving the expenditure of funds at this time does not seem warranted.

Please deny the funds and put the project on hold until such time as the need for the reactors and the possibility of alternative, renewable energy sources has been carefully and fully considered. We cannot afford to spend any funds in this manner when many critical parts of our government services are going begging and vital programs are being eliminated for lack of funds and when the eventual construction of the reactors is so tenuous.

8/24/2010



Thank you for your service to The State Of Florida.

Barry J. White  
Treasurer/Director  
CASE/Citizens Allied for Sate Energy, Inc.  
Miami-Dade County, FL

August 17, 2010

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE SECRETARY

_____	)	
In the Matter of	)	
	)	
FLORIDA POWER AND LIGHT	)	
	)	Docket Nos. 52-040 COL
	)	52-041 COL
(Turkey Point Nuclear Power Station,	)	
Units 6 & 7)	)	
_____	)	

Citizens Allied for Safe Energy, Inc. Petition to Intervene and Request for a Hearing

This is a petition to intervene filed under 10 C.F.R. § 2.309 and in response to a notice published by the Nuclear Regulatory Commission (“NRC” or “Commission”) at 75 F.R. 34777 on June 18, 2010.<sup>1</sup> Citizens Allied for Safe Energy (CASE) hereby petition to intervene on behalf of CASE members in the application by Florida Power and Light (FPL or “the applicant”) before the Commission for two combined construction and operating license (“COL”) for two new nuclear power reactor units to be called Turkey Point Units 6 and 7, located in Homestead Florida. CASE also requests a hearing on the above captioned matter. As demonstrated below, CASE has representational standing through its members to make this request. This is a pro se Petition; CASE has no counsel. Coordination of the Petition and subsequent communications will be

<sup>1</sup> The application, submittal documents and reference documents are available at <http://www.nrc.gov/reactors/new-reactors/col/turkey-point/documents.html#appDocuments>

provided by Barry White. See the authorization declaration and notice of appearance of Mr White, at the end of this petition.

This petition includes the details (with particularity) of the contentions that the co-petitioners find to be substantive and vital to NRC's consideration of the applicant's combined operating license application ("COLA"). The purpose of raising these issues is the protection of our members and their interest in this process. The contentions are that

8. The projections for the Turkey Point units 6 & 7 decommissioning fund do not reflect the issues raised in contentions in section 1.

#### DESCRIPTION OF THE PROCEEDING

The COLA for the proposed Turkey Point Nuclear Units 6 and 7 ("TP 6 & 7") was filed pursuant to 10 C.F.R. Part 52 Subpart C by FPL on June 30, 2009. The application requests approval of a COL for Turkey Point Units 6 & 7 located in Homestead, Florida. Notice of NRC's receipt of the application was published in the **Federal Register** on August 3, 2009 (74 FR 38477). The application was accepted for docketing and published on October 7, 2009 (74 FR 51621).

The Turkey Point Units 6 & 7 COL application incorporates by reference appendix D to 10 CFR Part 52 and the AP1000 Design Control Document (DCD) submitted by Westinghouse to the NRC on May 26, 2007, as Revision 16, and updated by Revision 17, on September 22, 2008.

CASE seeks party status in this licensing action since there are specific, harms

that its members would suffer if the concerns identified in this Petition are not addressed.

#### STANDING OF PETITIONER

CASE is a Florida non-profit corporation. CASE has 125 members, of which 25 have signed the attached declaration in support of this intervention. The CASE business address is 10001 SW 129 Terrace, Miami, FL 33176. CASE is representing the interests of its members: [names of those who have signed declarations] who live within 50 miles of the proposed reactors and whose declarations are attached (exhibits MNPOPQ).

There are viable alternative energy options in lieu of nuclear power available to meet the energy needs of Florida that are clean, safe and sustainable. Also, there are other sites in Florida which could better accommodate new nuclear reactors. Construction and operation of the proposed new units at Turkey Point would cause irreversible damage to the local environment, and it would pose risks to the health and safety of current and future generations of Florida residents, including members of CASE.

If an accident occurred at the facility it could result in radiological releases and environmental contamination that would adversely affect the health and well being of CASE members, as well as all living beings in the region. The licensing of this nuclear plant will result in the creation of a new, permanent repository for high level radioactive waste, with the costs of its safeguarding and maintenance to be borne by the public in perpetuity. The risks and costs associated with this technology are unacceptable to

CASE and its members, especially given the abundance of alternatives available.

Members of the co-petitioners live, work, travel, recreate, use and enjoy natural resources in the vicinity of the proposed nuclear facility. They breathe the air, drink and use the water, eat food grown in the vicinity of the proposed project. All are customers of electric power companies whose rates will be impacted directly, or indirectly, by this project.

CASE seeks to avoid or minimize the risks posed by this nuclear plant by ensuring that the highest possible safety and environmental standards are imposed on the proponents of this project, and that all of these issues are fully and thoroughly addressed in the NRC's licensing proceeding.

Pursuant to 10 C.F.R. § 2.309, a request for hearing or petition to intervene is required to address (1) the nature of the petitioner's right under the Atomic Energy Act ("AEA") to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest.

Other standing requirements are found in NRC case law.<sup>2</sup> In *Diablo Canyon*, the Atomic Safety and Licensing Board noted that petitioners who live within 50 miles of a proposed nuclear power plant are presumed to have standing in reactor construction permit and operating license cases, because there is an "obvious potential for offsite consequences" within that distance.

Further record, as summarized by the Atomic Safety and Licensing Board

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<sup>2</sup> *Pacific Gas & Electric Co.* (Diablo Canyon Power Plant Independent Spent Fuel Storage Installation), LBP-02-23, 56 NRC 413, 426 (2002).

("ASLB"), on standing requirements are as follows:

In determining whether a petitioner has sufficient interest to intervene in a proceeding, the Commission has traditionally applied judicial concepts of standing. See *Metropolitan Edison Co.* (Three Mile Island Nuclear Station, Unit 1), CLI-83-25, 18 NRC 327, 332 (1983) (citing *Portland General Electric Co.* (Pebble Springs Nuclear Plant, Units 1 and 2), CLI-76-27, 4 NRC 610 (1976)). Contemporaneous judicial standards for standing require a petitioner to demonstrate that (1) it has suffered or will suffer a distinct and palpable harm that constitutes injury-in-fact within the zone of interests arguably protected by the governing statutes (e.g., the Atomic Energy Act of 1954 (AEA), the National Environmental Policy Act of 1969 (NEPA)); (2) the injury can be fairly traced to the challenged action; and (3) the injury is likely to be redressed by a favorable decision. See *Carolina Power & Light Co.* (Shearon Harris Nuclear Power Plants), LBP-99-25, 50 NRC 25, 29 (1999). An organization that wishes to intervene in a proceeding may do so either in its own right by demonstrating harm to its organizational interests, or in a representational capacity by demonstrating harm to its members. See *Hydro Resources, Inc.* (2929 Coors Road, Suite 101, Albuquerque, NM 87120), LBP-98-9, 47 NRC 261, 271 (1998). To intervene in a representational capacity, an organization must show not only that at least one of its members would fulfill the standing requirements, but also that he or she has authorized the organization to represent his or her interests. See *Private Fuel Storage, L.L.C.* (Independent Fuel Storage Installation), LBP-98-7, 47 NRC 142, 168, *aff'd on other grounds*, CLI-98-13, 48 NRC 26 (1998).

Standing to participate in this proceeding is demonstrated by the attached Declarations of the above named members of CASE, people who live in Florida within 50 miles of the proposed site and who have authorized one or more of the co-petitioners to represent their interests in this proceeding.

The attached Declarations declare that people who live near (within 50 miles, though some live much closer) the Turkey Point site, declare further that they are members of CASE and that they support this petition. Thus, they have presumptive standing in this intervention by virtue of their support for the action and their proximity to the proposed nuclear plants that may be constructed on the site.<sup>3</sup>

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<sup>3</sup> *Diablo Canyon, supra*, 56 NRC at 426-427, citing *Florida Power & Light Co.* (Turkey Point Nuclear Generating Plant, Units 3 and 4), LBP-01-6, 53 NRC 138, 146, *aff'd*, CLI-01-17, 54 NRC 3

In the case at hand the granting of a combined operating license (“COL”) to Florida Power and Light would permit the construction and operation of two new nuclear reactors, and therefore additional generation of radioactive waste and radioactive emissions in South, Florida. The co-petitioner’s members seek to protect their lives, health and safety and economic interests as customers and ratepayers (directly or indirectly) of FPL by opposing the issuance of a COL to FPL. The co-petitioners seek to ensure that no COL is issued by the Commission unless FPL demonstrates full compliance with the AEA, the National Environmental Policy Act (“NEPA”) and all other applicable laws and regulations.

Further, determination of standing is based on three requirements: injury, causation and redressability. CASE hereby requests to be made a party to the proceeding because: (1) construction and operation of two nuclear reactor units at South would present a tangible and particular harm to the health and well-being of the co-petitioners’ members living within 50 miles of the site and who are ratepayers of the company; (2) the Commission has initiated proceedings for a COL, the granting of which would directly affect the co-petitioners and their members; and (3) the Commission is the sole agency with the power to approve, to deny or to modify a license to construct and operate a commercial nuclear power plant.

#### CONSIDERATIONS

The Commission is charged by the AEA with to forego actions that would be “inimical to the common defense and security or to the health and safety of the public.”<sup>4</sup>

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<sup>4</sup> 42 U.S.C. §2133(d).

Public safety is “the first, last, and a permanent consideration in any decision on the issuance of a construction permit or a license to operate a nuclear facility.”<sup>5</sup> As detailed below in the petitioner’s contentions, FPL’s COLA fails to comply with the NEPA requirement that it fully address the environmental impacts of constructing and operating the proposed South reactors.

The AEA sets minimum standards for the operation of nuclear facilities, while NEPA requires the Commission to consider and attempt to avoid or mitigate significant adverse environmental impacts of licensing those facilities. AEA and NEPA overlap to some extent; however they also establish independent requirements.<sup>6</sup> It is “unreasonable to suppose that [environmental] risks are automatically acceptable, and may be imposed upon the public by virtue of the AEA, merely because operation of a facility will conform to the Commission’s basic health and safety standards.”<sup>7</sup> NEPA

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<sup>5</sup> Petition for Emergency and Remedial Action, 7 NRC at 404, citing *Power Reactor Development Corp. v. International Union of Electrical Radio and Machine Workers*, 367 U.S. 396, 402 (1961).

<sup>6</sup> *Limerick Ecology Action v. NRC*, 869 F.2d 719, 729-30 (3rd Cir. 1989) (“*Limerick Ecology Action*”) (holding that the AEA does not preclude NEPA).

<sup>7</sup> *Limerick Ecology Action*, quoting *Citizens for Safe Power v. NRC*, 524 F.2d 1291, 1299 (D.C. Cir. 1975).



requires NRC to go beyond the AEA, by requiring consideration of alternatives to the COLA and for reducing or avoiding adverse environmental impacts of NRC licensing actions.<sup>8</sup>

The NRC staff's responsibility in preparing an EIS under NEPA, and the Safety Evaluation Report under NRC regulations is to conduct a fair and independent analysis of the impacts of the proposed action on the environment, and compliance with NRC regulations, in order to give the decisionmaker a useful tool, based on solid scientific and technical data, to make a decision to grant or deny the COLA. Since neither of those documents is prepared until later in the process, the issues raised by the petitioner must also rise to that same level of import in the consideration of whether to grant or deny the applicant's COL.

#### OVERVIEW OF THE CONTENTIONS

A COL is authorization from the NRC to construct and operate a nuclear power plant at a specific site. Before issuing a COL, the NRC staff is required to complete safety and environmental reviews of the application in compliance with the AEA and NEPA. CASE seeks to intervene because operation of the two proposed nuclear reactors would endanger the health and safety and economic interests of their members and other people living within 50 miles of the proposed reactors. The costs and risks of the proposed reactors are unnecessary and wholly out of proportion to any possible

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<sup>8</sup> 10 C.F.R. § 51.71(d).

benefit.

As determined by the ASLB, a contention is admissible when it meets the requirements in 10 C.F.R. § 2.309(f)(1):

(1) A request for hearing or petition for leave to intervene must set forth with particularity the contentions sought to be raised. For each contention, the request or petition must:

(i) Provide a specific statement of the issue of law or fact to be raised or controverted;

(ii) Provide a brief explanation of the basis for the contention;

(iii) Demonstrate that the issue raised in the contention is within the scope of the proceeding;

(iv) Demonstrate that the issue raised in the contention is material to the findings the NRC must make to support the action that is involved in the proceeding;

(v) Provide a concise statement of the alleged facts or expert opinions which support the requestor's/petitioner's position on the issue and on which the petitioner intends to rely at hearing, together with references to the specific sources and documents on which the requestor/petitioner intends to rely to support its position on the issue; and

(vi) Provide sufficient information to show that a genuine dispute exists with the applicant/licensee on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the petitioner's belief.

A thorough recitation of relevant case law regarding the admissibility of contentions was recently presented in *Duke Energy Carolinas, LLC (William States Lee Nuclear Station, Units 1 and 2)*, LBP-08-17, 68 NRC \_\_\_\_ (slip op. at 4-10) (September 22, 2008).

A variety of contentions have been admitted by ASLBs at a number of the latest rounds of petitions on the adequacies of COLAs. See for example, *Tennessee Valley*

Authority, (Bellefonte Nuclear Power Plant, Units 3 and 4), LBP-08-16, 68 NRC \_\_\_\_ (slip op.) (September 12, 2008).

For each contention offered here, CASE demonstrates that the issues raised are within the scope of the proceeding, that the issues are material to the Commission's licensing responsibilities, and that there exists a genuine dispute between the petitioners and the licensee. In its contentions, the co-petitioners present the specific issues of law or fact to be raised, the bases for the contentions and statements of fact or expert opinion in support of the contentions.

#### **LIST OF CONTENTIONS**

**CONTENTION 1 -- FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 TO PROVIDE FOR AN ADEQUATE PUBLIC SAFETY PLAN**

**CONTENTION 2 -- FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 TO PROVIDE FOR THE SAFE AND ORDERLY EVACUATION OF THE POPULATION DURING OR FOLLOWING A NUCLEAR EVENT (UNUSUAL NUCLEAR OCCURANCE)**

**CONTENTION 3 -- FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 BY RELEASING AEROSOL WITH 471.6 TONS OF PARTICULATES INTO THE ATMOSPHERE ANNUALLY**

**CONTENTION 4 - FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 TO ADEQUATLY CONSIDER AND PLAN FOR ACCIDENTS INVOLVING RADIOACTIVE MATERIALS**

**CONTENTION 5 – FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 ANALYSIS TO CONSIDER OR INCORPORATE ANY SCIENTIFICALLY VALID PROJECTION FOR SEA LEVEL RISE**

**AND CLIMATE CHANGE THROUGH THE END OF THIS CENTURY AND BEYOND.**

**CONTENTION 6 - FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 TO CONSIDER THE ENVIRONMENTAL IMPACT OF EXTENDED STORAGE OF SO-CALLED "LOW-LEVEL" WASTE AT TURKEY POINT AS REGARD TO PUBLIC SAFETY**

**CONTENTION 7 - FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 TO CONSIDER TO INCLUDE A SO-CALLED "LOW-LEVEL" RADIOACTIVE WASTE EXTENDED STORAGE PLAN**

**CONTENTION 8 - A REQUEST THAT NRC DENY THE REQUEST FROM FPL TO BEGIN CONSTRUCTION OF THE NON-NUCLEAR PORTIONS OF THIS PROJECT (LIMITED WORK AUTHORIZATION, LWA).**

## CONTENTIONS

### CONTENTION: ONE

#### CONTENTION: INADEQUATE PUBLIC SAFETY PLAN

(i) The emergency plan on file with Miami-Dade County does adequately protect public health of people in the Turkey Point Plume Exposure Zone following an accidental radiation release from FPL's nuclear reactor facilities at Turkey Point.

#### (ii) BASIS FOR CONTENTION

The NRC requires the filer to coordinate with local government to adequately protect people in the case of radiation release in a General Emergency. The existing emergency plans on file with Miami-Dade County consists of (1) evacuation and emergency shelter plans, (2) shelter-in-place plans, (3) plans for radiation testing, and (4) treatment of people with potassium iodide (KI) to reduce the significant risk of thyroid cancer. None of these aspects of the emergency plan would be adequate in the event of a significant accidental release of airborne radiation from nuclear reactors at Turkey Point in a General Emergency:

- 1. Evacuation plans are not adequate for timely evacuation of all the people who could be affected in an accidental radiation release.**
- 2. Evacuation screening and shelter provisions lack capacity for the number of people living in the evacuation zone.**
- 3. Potassium iodide (KI) cannot be delivered in a timely manner to provide best**

protection from thyroid cancer.

**4. Reactor design proposed for TPN 6 & 7 elevates risk of radiation release and makes effective evacuation and KI plans more critical.**

**(iii) CONTENTION IS WITHIN SCOPE – NRC Regulations 10(CFR) § 50.47**

**Emergency plans states:** that a new license will not be issued unless the operator can show that all safety plans in place by local and state agencies are sufficient to provide for the safety of the public in the event of a radiological emergency:

***NRC Regulations 10(CFR) § 50.47***

*(a)(1)(i) Except as provided in paragraph (d) of this section, no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. No finding under this section is necessary for issuance of a renewed nuclear power reactor operating license.*

*(ii) No initial combined license under part 52 of this chapter will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. No finding under this section is necessary for issuance of a renewed combined license.*

*(iii) If an application for an early site permit under subpart A of part 52 of this chapter includes complete and integrated emergency plans under 10 CFR 52.17(b)(2)(ii), no early site permit will be issued unless a finding is made by the NRC that the emergency plans provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency.*

*(iv) If an application for an early site permit proposes major features of the emergency plans under 10 CFR 52.17(b)(2)(i), no early site permit will be issued unless a finding is made by the NRC that the major features are acceptable in accordance with the applicable standards of 10 CFR 50.47 and 10 CFR part 50, appendix E, within the scope of emergency preparedness matters addressed in the major features.*

*(2) The NRC will base its finding on a review of the Federal Emergency Management Agency (FEMA) findings and determinations as to whether State and local emergency plans are adequate and whether there is reasonable assurance that they can be implemented, and on the NRC assessment as to whether the applicant's onsite emergency plans are adequate and whether there is reasonable assurance that they can be implemented. A FEMA finding will*

*primarily be based on a review of the plans. Any other information already available to FEMA may be considered in assessing whether there is reasonable assurance that the plans can be implemented. In any NRC licensing proceeding, a FEMA finding will constitute a rebuttable presumption on questions of adequacy and implementation capability.*

**(iv) DEMONSTRATION THAT CONTENTION IS MATERIAL TO THE NRC DECISION**

The emergency plans in place in Miami-Dade County cannot be implemented in a timely manner because of logistic problems and thus are not adequate to protect public safety in the event of an emergency release of radiation. Therefore the operator, FPL, has not satisfied the stipulations of NRC Regulations 10(CFR) § 50.47.

**(v) STATEMENT OF FACTS & EXPERT OPINIONS:**

**1. Evacuation plans are not adequate for timely evacuation of all the people who could be affected in an accidental radiation release.**

The evacuation routes include only three main roads: U.S. 1, Florida's Turnpike, and Krome Ave. Because the radiation plume may extend 50 miles (Ingestion Exposure Pathway EPZ) or more, people in the Florida Keys and throughout South Dade would further congest the evacuation routes. Even a moderate wind from the south would overtake people fleeing the evacuation area.

The Florida Department of Community Affairs states that up to 17 hours would be required to evacuate coastal areas of Miami-Dade County.

[http://www.dca.state.fl.us/fdcp/dcp/hazardmitigation/MapsProfiles/MiamiDade/Miami-DadeProfile\\_final.pdf](http://www.dca.state.fl.us/fdcp/dcp/hazardmitigation/MapsProfiles/MiamiDade/Miami-DadeProfile_final.pdf)

In only two hours, even the lightest breeze would push the radiation plume over residents attempting to evacuate the 10-mile EPZ.

Miami-Dade County explains nuclear emergency evacuation to parents:

*"Activation of your plan should begin as early as possible because of the time it takes for parents or guardians to respond to your facility to pick up their children."*

[http://www.miamidade.gov/oem/library/preparedness\\_planning\\_sheet.pdf](http://www.miamidade.gov/oem/library/preparedness_planning_sheet.pdf)

Thus, parents working outside the evacuation zone would have to drive back into the zone to retrieve their children, adding to traffic congestion and further delaying evacuation.

**2. Evacuation screening and shelter provisions lack capacity for the number of people living in the evacuation zone.**

The Tamiami Park Emergency Reception Center (ERC) intended to hold evacuees in Miami-Dade County has a host capacity for 1000 evacuees and a reported usage capacity of 2450.

<http://www.floridadisaster.org/Response/engineers/documents/2008SESP/2008-SESP->

AppxA/2008SESP-AppxA-Miami-Dade.pdf

Thus, plans to evacuate people in the radiation plume could not accommodate 98% of residents in the 10-mile EPZ, approximately 126,000 people according to the year 2000 U.S. Census for the communities of Cutler Bay, Florida City, Goulds, Lakes by the Bay, Leisure City, Naranja, Princeton, South Miami Heights.

### **3. KI cannot be delivered in a timely manner to provide best protection from thyroid cancer.**

According to both the NRC and the World Health Organization, to achieve protection from atmospheric release of radioactive iodine (I-131), KI should be ingested **prior** to encountering the radiation cloud. Quoting the NRC:

*"If radioactive iodine is taken into the body after consumption of potassium iodide, it will be rapidly excreted from the body."*

<http://www.nrc.gov/about-nrc/emerg-preparedness/protect-public/potassium-iodide-use.html>

FPL explains:

*"If conditions warrant, the Florida Health Department will make potassium iodide available at the reception centers."*

[http://www.fpl.com/environment/nuclear/pdf/turkey\\_point.pdf](http://www.fpl.com/environment/nuclear/pdf/turkey_point.pdf)

The Modesto Maidique campus of Florida International University, adjacent to the Tamiami Park Emergency Reception Center (ERC), houses the County's emergency supply of potassium iodide (KI). This ERC is 20 miles from the 10-mile diameter emergency planning zone (EPZ).

In the event of an emergency radiation release, the time required to evacuate the 10-mile EPZ to the ERC at Tamiami Park (up to 17 hours) would be too great to prevent initial exposure to inhaled radioiodines. The county has no effective plan to transport KI from the FIU campus to residents who shelter-in-place in their houses or businesses prior to their exposure from a moving radiation cloud.

### **4. Reactor design proposed for TPN 6 & 7 elevates risk of radiation release and makes effective evacuation and KI plans more critical.**

FPL proposes to build the untested Westinghouse AP1000 reactor design for TPN 6 & 7.

Analysis of the AP1000 by nuclear engineer Arnie Gunderson has revealed an elevated likelihood of corrosion leakage in combination with a "chimney effect" in the containment housing that would rapidly vent radiation into the atmosphere during a core meltdown.

Thus, the needs for more effective plans for evacuation and KI distribution are more compelling for TPN 6 & 7 than for the existing TPN 3 & 4 reactors. [See Exhibit: Declaration of Arnie Gunderson August 13, 2010, Vogtle COL].

**(vi) FPL's application assumes that the current emergency plans in place with Miami-Dade County for TPN 3 & 4 is likewise sufficient for TPN 6 & 7. It is our contention that the current emergency plans are not adequate to protect public**

**safety for the reasons stated above, and therefore the application should be rejected until plans are in place that are sufficient to assure the safety of the population at risk in a sudden emergency radiation release.**

The US Coast Guard, unlike some other emergency response jurisdictions offered the following statement that their ranks require the level of protection that CASE believes all the residents of the area deserve:

*Emergency Preparedness Manager  
Turkey Point Nuclear Plant  
9760 SW 344 Street.  
Florida City, FL 33035  
Attn: Larry Hardin*

*Dear Sir,*

*The following information is provided in response to your email request on August 28, 2008, in which you requested the United States Coast Guard provide a new letter of support indicating our ability to meet the requirements of your Radiological Emergency Plan. This letter provides current resource and support capabilities for Coast Guard assets located in the vicinity of the Florida City Turkey Point Nuclear Plant. Please note that any emergency assistance that the Coast Guard may provide would be limited by the fact that Coast Guard crews are not equipped or trained for radiological response, and thus, cannot be exposed to radiological contamination. Coast Guard assets will be restricted to activities and geographic locations that are air monitored for radioactive fallout and are certified to be safe without protective clothing or equipment. Consequently, the Coast Guard is unable to act as the primary responder for nuclear power plant disasters.*

*Kenneth C Jones, Commander  
Seventh Coast Guard District  
909 SE First Ave  
Miami, FL 33131  
September 29, 2008*

## **CONTENTION: TWO**

### **A. FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 TO PROVIDE FOR THE SAFE AND ORDERLY EVACUATION OF THE POPULATION DURING OR FOLLOWING A NUCLEAR EVENT (UNUSUAL NUCLEAR OCCURANCE)**

#### **A. 1. Statement of the issue:**



**The evacuation plan does not meet the criteria of protect(ing) the health and safety of the public prescribed by the Atomic Energy Act of 1954, and as exemplified by 10 CFR 50.47. In addition, the increase in population, and findings of studies of actual population and institutional response to actual emergencies are not adequately reflected in the FPL emergency response plan. The plan, particularly with respect to evacuation / population response is therefore incomplete and also does not follow NUREG 0654 guidelines.**

**ii. brief explanation of the basis for the contention**

According to the population statistics provided by the FPL COL there are 187,374 people in the EPZ within 10 miles of Turkey Point 9; that number will increase to 280,000 by 2080. (ETE Table 3-2 EPZ Permanent Resident Population). The COL information ETE states that it will take from 6 to 11.4 hours to evacuate 100% of the population plus up to 6 hours for some of the population to prepare to evacuate. These evacuation and preparation times are too long to protect the health and safety of the public. If you had to evacuate 187,374 people in Kansas, you would have 360 compass degrees in which to do it. But since they are at the end of a peninsula with Everglades National Park as a western boundary, and Biscayne National Park and the Atlantic Ocean as an eastern boundary, there are only 30 compass degrees into which they can evacuate. Only one way to go: north. And only three roads on which to do it; U.S. Highway 1, The Florida Turnpike and Krome Avenue.

NUREG 0654 advocates evacuation over sheltering yet the FPL COL indicates that sheltering is an acceptable alternative for some part of the population. In addition, the use of the existing Turkey Point evacuation plan does not reflect the LARGE expansion in permanent population that has occurred between 1970 and now.

**TABLE 1:**

2000 Census Population of 10 mile evac radius Turkey Point  
 Inland Population of Area in a 10-mile Evacuation Radius of Turkey Point

Zip code	
33030	27 304
33031	5 514
33032	20 716
33033	31 394
33034	15 402
33035	2 762
33157	61 258
33170	8 460
33189	2 280
33190	4 820
Total	179 910

Please note that these are 2000 census figures which account only for residents. These figures do not include seasonal visitors, migrant workers, or people attending sports events and visiting parks and tourist attractions.

**TABLE 2 (excerpt from the COL)**

Turkey Point Units 6 & 7 Evacuation Time Estimate  
 KLD Associates, Inc. ES -6 Revision 0

**Table 3-2 EPZ Permanent Resident Population**  
**Area 2000 Population                      2009 Population**

**Total 140,668                                      187,374**

Population Growth: 33.2%

The following is a compilation of figures above, and numbers from the 1970 US Census.

	1970	1990	2000	2006-2008 est	2009 est
<i>Florida</i>	5133	5806	7843	<i>na</i>	9935

City					
Goulds	6690	6004	7453	na	7453
Homestead	13674	26866	31909	49818	57936
Lakes by					
the Bay	<1000	525	9055	na	na
Leisure City	<1000	9369	22152	20713	na
Naranja	<1000	1556	4034	na	na
Princeton	<1000	1622	10090	na	na
South Miami					
Heights	10395	8369	33522	34582	na
total	38892		60117		126058
2080 pop estimate			267281		

The 2080 pop estimate is from the FPL ER.

The 1970 – 2009 growth from 38,892 to 187,374 is a 4.8-fold increase in the number of people who will be impacted on any day that Turkey Point has a problem. A four, nearly five-fold expansion is not credible in terms of asserting minor modification to a plan.

**(iii) The contention is within the scope of the proceeding**

The ATOMIC ENERGY ACT OF 1954 (Public Law 83–703 68 Stat. 919 August 30, 1954 TITLE I– ATOMIC ENERGY, CHAPTER 1– DECLARATION, FINDINGS, AND PURPOSE) states:

d. The processing and utilization of source, byproduct, and special nuclear material must be regulated in the national interest and in order to provide for the common defense and security *and to protect the health and safety of the public.* (Empahisis added).

e. Source and special nuclear material, production facilities, and utilization facilities are affected with the public interest, and regulation by the United States of the production and utilization of atomic energy and of the facilities used in connection therewith is necessary in the national

interest to assure the common defense and *security and to protect the health and safety of the public.* (Emphasis added).

NRC Regulation 10 CFR Section 52.79 - Contents of applications; technical information in final safety analysis report, states:

“[t]he final safety analysis report shall include the following information at a level of information sufficient to enable the Commission to reach a final conclusion on all safety matters that must be resolved by the Commission before issuance of the license.”

From Abstract of NUREG 0654: Studies of severe reactor accidents and their consequences since the issuance of NUREG-0654/FEMA-REP-1, Revision 1, have led the NRC staff to conclude that the preferred initial protective action for a severe (core damage) accident is to evacuate promptly rather than to shelter the population near the plant, barring any constraints to evacuation. The guidance in this document is intended to update and simplify the decisionmaking process for protective actions for severe reactor accidents given in Appendix 1 to NUREG-0654/FEMAREP.

Excerpting from NRC regs:

### **§ 50.47 Emergency plans.**

(a)(1)(i) Except as provided in paragraph (d) of this section, no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. No finding under this section is necessary for issuance of a renewed nuclear power reactor operating license.

(ii) No initial combined license under part 52 of this chapter will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in

the event of a radiological emergency. No finding under this section is necessary for issuance of a renewed combined license.

Clearly NRC has the intent of fulfilling the charge of the Atomic Energy Act, even to the point of offering to *decline a license* (rare) as in:

(c)(1) Failure to meet the applicable standards set forth in paragraph (b) of this section may result in the Commission declining to issue an operating license;

And paragraph (b) is very detailed in its specificity:

(b) The onsite and, except as provided in paragraph (d) of this section, offsite emergency response plans for nuclear power reactors must meet the following standards:

(1) Primary responsibilities for emergency response by the nuclear facility licensee and by State and local organizations within the Emergency Planning Zones have been assigned, the emergency responsibilities of the various supporting organizations have been specifically established, and each principal response organization has staff to respond and to augment its initial response on a continuous basis.

(2) On-shift facility licensee responsibilities for emergency response are unambiguously defined, adequate staffing to provide initial facility accident response in key functional areas is maintained at all times, timely augmentation of response capabilities is available and the interfaces among various onsite response activities and offsite support and response activities are specified.

(3) Arrangements for requesting and effectively using assistance resources have been made, arrangements to accommodate State and local staff at the licensee's near-site Emergency Operations Facility have been made, and other organizations capable of augmenting the planned response have been identified.

(4) A standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee, and State and local response plans call for reliance on information provided by facility licensees for determinations of minimum initial offsite response measures.

(5) Procedures have been established for notification, by the licensee, of State and local response organizations and for notification of emergency personnel by all organizations; the content of initial and followup messages to response organizations and the public has been established; and means to provide early notification and clear instruction to the populace within the plume exposure pathway Emergency Planning Zone have been established.

(6) Provisions exist for prompt communications among principal response organizations to emergency personnel and to the public.

(7) Information is made available to the public on a periodic basis on how they will be notified and what their initial actions should be in an emergency (e.g., listening to a local broadcast station and remaining indoors), the principal points of contact with the news media for dissemination of information during an emergency (including the physical location or locations) are established in advance, and procedures for coordinated dissemination of information to the public are established.

(8) Adequate emergency facilities and equipment to support the emergency response are provided and maintained.

(9) Adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition are in use.

(10) A range of protective actions has been developed for the plume exposure pathway EPZ for emergency workers and the public. In developing this range of actions, consideration has been given to evacuation, sheltering, and, as a supplement to these, the prophylactic use of potassium iodide (KI), as appropriate. Guidelines for the choice of protective actions during an emergency, consistent with Federal guidance, are developed and in place, and protective actions for the ingestion exposure pathway EPZ appropriate to the locale have been developed.

(11) Means for controlling radiological exposures, in an emergency, are established for emergency workers. The means for controlling radiological exposures shall include exposure guidelines consistent with EPA Emergency Worker and Lifesaving Activity Protective Action Guides.

(12) Arrangements are made for medical services for contaminated injured individuals.

(13) General plans for recovery and reentry are developed.

(14) Periodic exercises are (will be) conducted to evaluate major portions of emergency response capabilities, periodic drills are (will be) conducted to develop and maintain key skills, and deficiencies identified as a result of exercises or drills are (will be) corrected.

(15) Radiological emergency response training is provided to those who may be called on to assist in an emergency.

(16) Responsibilities for plan development and review and for distribution of emergency plans are established, and planners are properly trained.

**(iv) The contention is material to the findings the NRC must make to support the action that is involved in the proceeding:**

As is stated in 50.47, NRC will deny a license if the appropriate plan is not in place. The FPL plan is not appropriate. The plans and procedures provided in the subject COL assume a perfect situation where everyone follows them and there is no emotional or situational anxiety present. Experience and studies have shown that in extreme evacuation situations the public will not follow an orderly procedure. Panic and fear prevail and any attempt at planned evacuation is impossible, especially in a nuclear event.

It is also the case that many trained workers on whom the authorities are planning to maintain order and carry out assigned duties do not do so and join the evacuation. If they have families, you must assume that their safety will supersede that of others.

By adding two nuclear reactors to the two already at Turkey Point, the possibility and probability

of a nuclear event is increased exponentially. And an event would not have to be catastrophic; even a rumor of a significant leak of radio active gas or vapor could cause panic in the area. Also, since there are two non-nuclear power plants at Turkey Point, a nuclear event could result in shutting them down also due to lack of workers and operators who would most likely not be willing to stay or return to a radioactive site.

**(v) Facts or expert opinions**

**The logistics of evacuating 187,000 people are greater than can be achieved on short notice and in a situation of panic following what is sure to be incomplete and in accurate information. Simply ensuring that there will be sufficient gasoline for that many cars is a major undertaking. Lines at the pumps would be blocks long and the supply of gasoline would soon run out. And who is to guarantee that the station owners or managers will stay around given the threat to themselves and their families. It is an impossible situation. Build the reactors somewhere else.**

Evacuation from a nuclear event is far different from evacuation from other events.

Using evacuations from natural and other technological hazards as a basis for comparison, we can conclude that evacuations in response to nuclear power plant accidents are likely to be characterized by an extreme over-response to limited protective action advisories; this phenomenon needs to be considered in behaviorally-based radiological emergency response planning.

The lessons learned from the Three Mile Island accident provide a very important experience for emergency planners to seriously consider in determining the viability of executing their nuclear accident emergency plan. A study into the human response in the aftermath of TMI was published in "Evacuation Behavior In Response To Nuclear Power Plant Accidents," by Donald Zeigler and



James Johnson, Jr. in the May, 1984 issue of The Professional Geographer.

Here are some of their findings:

**1. To plan for only a 10 mile evacuation is to significantly under plan for a nuclear power station accident.**

The 10-mile emergency planning zone is a politically arbitrary distance. It has no bases in meteorology, radiation releases mechanisms and human behavior. In fact studies of human behavior following the Three Mile Island accident in 1979, where a limited evacuation advisory was issued by Pennsylvania Governor Thornberg, provides evidence that people will be spontaneously leaving their homes well beyond the current 10-mile planning zones. This human behavior phenomenon has been termed the "evacuation shadow effect." This evacuation shadow is determined by people who believe themselves to be at risk who evacuate even though they have not been ordered or advised to do so by officials. The study of human behavior around the Three Mile Island accident showed that if only the government advised people, specifically pregnant mothers and pre-school children, had left a 5 mile radius, that number would have been about 3400 evacuees. Instead, up to as many as 200,000 people actually evacuated, approximately 39% of the population within 15 miles of the reactor. The "shadow" evacuation phenomenon is not expected to begin to diminish until approximately 25-miles out from the reactor. The study found that in addition to the high rate of voluntary evacuation, those evacuees tended to travel distances much greater than has been observed in previous studies on non-nuclear related evacuation behavior (hurricanes, floods, etc.). The TMI study evidenced that the median distanced traveled by evacuees was 85 miles. The NRC commissioned a study (Flynn 1979) that evidenced an average distance of 100 miles of travel.

**· To locate all the public shelters and reception centers immediately beyond the 10-mile EPZ is to invite under-utilization and chaos.**

Currently all shelters and reception centers for evacuees within the current planning zone are located in a 10-20 mile range from the reactor. Anyone who takes shelter in them will likely watch the resident population from that zone pack into their cars and heads farther away. Ionizing radiation is such a dreaded invisible threat people will want to put as much distance as possible between them and the accident site.

**\_ To depend on buses to evacuate populations without cars (school children, the elderly, and prison and hospital populations) is to ignore role conflicts within the emergency personnel designated as drivers and vital to successful evacuation.**

Those people who are depended upon to drive buses are not likely to be professional emergency workers. They may not respond, especially if they have family of their own. They may delay response as a result of role conflict between emergency duty and home. It is reasonable to assume that they are most likely to tend to their families first. Social surveys of personnel with assigned emergency duties indicate the strong potential for role conflict to interfere with the management of a nuclear emergency. Research conducted in the vicinity of the now closed Shoreham nuclear power station

on Long Island, NY questioned bus drivers and volunteer fireman "What do you think you would do first if an accident requiring a full scale evacuation of the population within 10 miles of the nuclear reactor were to occur?"

The results found that 68% of 291 fire fighters, 73% of the 246 bus drivers indicated that family obligations would take precedence over emergency duties. The consequence of such choice would be a failed response to the nuclear emergency.

Additionally, during the TMI accident role conflict was documented among many emergency workers including the exodus of physicians, nurses, and technicians required to staff both the short term and long term medical facilities. At one local hospital, only six of 70 physicians who were scheduled for weekend emergency duty reported for work. None of the hospitals researched in the study were in the 5 mile radius of the evacuation advisory. Other instances where role conflict occurred were the Pennsylvania National Guard and even nuclear power plant workers.

**4. To package information for radiological accident emergency planning as similar to an emergency response to other disasters (i.e. hurricanes) is to ignore that there are major differences in how people respond to these very different events.**

Nuclear power plant operators and emergency planners characterize nuclear power plant disaster planning as no different than that for a hurricane or some other disaster. The public clearly perceives a difference of threat and consequences from a nuclear meltdown and that of a hurricane. But nuclear utilities, emergency planners and the NRC refuse to acknowledge these distinct differences in actual threat, public perceptions and fears of the harm that can occur as the result of a nuclear power accident on scale of the Chernobyl accident in Ukraine, and other catastrophes. The harm derived from a nuclear accident both short term and long term includes deadly radiation sickness, cancer, birth defects and spontaneous abortions. The magnitude of public response to be greater than an evacuation from a natural disaster should be acknowledged and factored into emergency planning.

**5) To expect to "manage" the evacuation response is not realistic.**

People will manage their own evacuation response. They will head out in their own cars as quickly as possible and try to get on the few available roads and will slow the entire evacuation process down. They will end up in traffic jams in bottlenecks that are beyond the evacuation zones that will likely trap the intended evacuees in traffic jams closer to the nuclear reactor and most immediately under any escaping radiation plume.

Ultimately, the only relevant protection, however, is prevention. If you want real civil defense, then we must shut these dangerous and aging reactors down.

**Petitioners' closing statement:**

The answer to this difficult situation is to not put people into it in the first place. Build nuclear power plants where evacuation is not a problem and is not in a confined area which the land and roadways surrounding Turkey Point have created. Turkey Point has outgrown its location as a place to produce power which has any potential for a nuclear incident. It is irresponsible for all authorities involved to put the residents and visitors at risk in this manner; the Atomic Energy Act demands that they not do so. Either build 6&7 somewhere else or use energy conservation and efficiency to reduce the need for power or recommend alternative energy sources and distributed/decentralized production of power. Every home and business should produce its own power. A monolithic, central source of power which must then be transmitted over great distances is nineteenth century technology. Germany and China are doing better. We can do better.

CONTENTION: THREE

**A. FAILURE AND OMISSION OF THE FPL COL FOR THE PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 BY RELEASING AEROSOL WITH 471.6 TONS OF PARTICULATES INTO THE ATMOSPHERE ANNUALLY**

**A. 1. Statement of the issue**

The six cooling towers for the two proposed AP1000 nuclear reactors at Turkey Point will release tons of particulates annually from treated waste water or sea water (plus added chemicals for functional purposes) into the atmosphere per day threatening the health and safety of Turkey Point employees and the surrounding population and visitors and could contaminate all land and water surfaces in the area including 65,000 acres of agricultural land.

**ii. brief explanation of the basis for the contention**

According to information provided in the FPL COL, the six cooling towers for Turkey Point 6&7 will evaporate 41.5 MGD of water which will include 943 tons annually of particulates) when sea water is used and 55 tons annually of particulates when recycled water is used annually which will be suspended in aerosol dispersed over the surrounding area. An FPL model diagram (presented in a power point presentation on August 13, 2010 and not yet available on line) shows the dispersion of that vapor in a neat pattern around the plant assuming average wind conditions. However, the average does not fully reflect the many days when the wind blows from the SE at 15 to 25 MPH for hours on end. That would carry the now condensed and concentrated residue over the employees at Turkey Point and the 187,000 people within ten miles of Turkey Point and over 65,000 acres in agriculture in south Miami-Dade County. And the diagram shows that 63% will fall close to the plant, and on Biscayne National Park which abuts the FPL property to the north.

**iii. demonstrate that the issue raised in the contention is within the scope of the proceeding**

This operation of the cooling towers will violate the criteria of protect(ing) the health and safety of the public prescribed by the Atomic Energy Act of 1954. The ATOMIC ENERGY ACT OF 1954 (Public Law 83-703 68 Stat. 919 August 30, 1954 TITLE I- ATOMIC ENERGY, CHAPTER 1- DECLARATION, FINDINGS, AND PURPOSE) states:

d. The processing and utilization of source, byproduct, and special nuclear material must be regulated in the national interest and in order to provide for the common defense and security *and to protect the health and safety of the public.* (Empahisis added).

e. Source and special nuclear material, production facilities, and utilization facilities are affected with the public interest, and regulation by the United States of the production and utilization of atomic energy and of the facilities used in connection therewith is necessary in the national

interest to assure the common defense and *security and to protect the health and safety of the public*. (Emphasis added).

NRC Regulation 10 CFR Section 52.79 - Contents of applications; technical information in final safety analysis report, states:

"[t]he final safety analysis report shall include the following information at a level of information sufficient to enable the Commission to reach a final conclusion on all safety matters that must be resolved by the Commission before issuance of the license."

**iv the contention is material to the findings the NRC must make to support the action that is involved in the proceeding**

While the aerosol from Turkey Point 6&7 will meet state air quality standards, the absolute concentrated amount of particulate falling in the area will be create health and air quality problems for those who work at the plant and at near by Biscayne National Park and for area residents and visitors. Low levels of pollutants breathed in every day will present health problems for them over time . The FPL analysis (see FPL public notice reproduced below) shows that "there will be 55 tons (110,000 pounds) of particulate matter annually and 21 tons /year of particulate matter with a mean diameter of 10 microns or less (PM10). when recycled waste water is being used. When using saltwater that contains a much higher solids content as a backup source of cooling water, potential emissions for the cooling towers are estimated to be 943 tons/year of PM and less than 10 tons/year of PM10. The project will also result in the following estimated potential emissions increases from the small serice water cooling towers and diesel engines: 25 tons/year of carbon monoxide; 36 tones/year of nitrogen oxides; 4 tons/year of PM, 3 tons/yeart of pm10; less than 1 ton/year of sulfar dioxide (SO2); and 4tons/year of volatile organic compounds (VOC)".

While the particulate concentration will be 5 mcg/cu liter, far below the State permitted limit of 150 mcg/cu liter. But the cumulative impact on local workers and residents from continued exposure to a particulate which includes residue from treated waste must be considered.

**(v) allegedact on which the petitioner intends to rely to support position on the issue**

The particulate will include pesticides, human and animal growth hormones, home and industrial chemicals, and many carcinogens. Studies of waste water show the following

substances:

The following information describes some of the chemicals which will be found in the particulate in the aerosol from the six cooling towers for Turkey Point 6&7 reactors:

Contaminants found in municipal waste water:

In general, a partial list the contaminants found in municipal waste-water can be found under the general headings of hydrophobic organic compounds, <sup>2</sup> endocrine disrupting compounds, OWCs including surfactant metabolites, steroids, stimulants, metal-chelating agents, disinfectants, antimicrobial agents, and pharmaceutical compounds. <sup>4</sup> The following is an incomplete list of specific compounds typically found in municipal waste water:

Antibiotics - carbadox, sulfachlorpyridazine, sulfadimethoxine, sulfamerazine, sulfamethazine, sulfathiazole, trimethoprim<sup>1</sup> sulfamethoxazole (SX)<sup>3</sup>  
nonionic surfactant degradation product 4-nonylphenol (NP), the solvent tetrachloroethene (PCE), and the disinfectant 1,4-dichlorobenzene (DCB), and 17 $\beta$ -Estradiol. <sup>3</sup>  
HHCB(fragrance component), caffeine, cholesterol, DEET(insect repellent), *para*-nonylphenol(surfactant), TBEP(flame retardant), and triclosan(an antimicrobial which may degrade into highly carcinogenic dioxins). <sup>6,8</sup>

1, 7-Dimethylxanthine(caffeine metabolite), Acetaminophen, Caffeine, Carbamazepine (anticonvulsant), Cimetidine (antacid), Codeine, Cotinine (nicotine metabolite), Dehydronifedipine (metabolite of hypertension drug nifedipine), Diltiazem(hypertension drug), Diphenhydramine(antihistamine), Erythromycin(antibiotic), Fluoxetine(antidepressant), Gemfibrozil (antihyperlipidemic), Miconazole(anti-fungal), Salbutamol(albuterol-anti-asthmatic) Sulfamethoxazole (anti-biotic), Thiabendazole (anti-fungal),  
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**Circulating Water Chemical Injection** (source: Turkey Point Units 6 & 7  
COL Application Part 2 — FSAR 10.4-6 Revision 0)

Circulating water chemistry is maintained by a local chemical feed system skid at the CWS cooling tower.

Circulating water system chemical feed equipment injects the required chemicals into the circulating water at the CWS cooling tower basin.

This maintains a noncorrosive, nonscale-forming condition and limits the biological film formation that reduces the heat transfer rate in the condenser and the heat exchangers supplied by the circulating water system.

The specific chemicals used within the system are based on water conditions as determined by CWS water chemistry. The chemicals can be divided into six categories based upon function: biocide, algaecide, pH adjuster, corrosion inhibitor, scale inhibitor, and a silt dispersant. The pH adjuster, corrosion inhibitor, scale inhibitor, and dispersant are metered into the system continuously or as required to maintain proper concentrations. The biocide application frequency may vary with seasons.

The algaecide is applied, as necessary, to control algae formation on the cooling tower. The following chemicals are used to control circulating water chemistry:

- Biocide and algaecide - sodium hypochlorite
- pH adjuster - sulfuric acid
- Corrosion inhibitor/scale inhibitor/silt dispersant - High stress polymer
- Scale inhibitor - sodium salt of phosphonometylate diamine and/or silicate inhibiting polymer

Addition of biocide and water treatment chemicals is performed by local chemical feed injection metering pumps and is adjusted as required.

Chemical concentrations are measured through analysis of grab samples from the CWS.

Residual chlorine is measured to monitor the effectiveness of the biocide treatment.

**Footnote:**

The following notice appeared in the Miami Herald on April 23, 2010:

Particles trapped in water droplets may be emitted from the cooling tower as "droplet drift" that is carried out with the warm exhaust air. High-efficiency mist eliminators will be installed to minimize drift. When using reclaimed water, potential emissions from the large cooling towers are estimated to be 55 tons/year of particulate matter (PM) and 21 tons/year of particulate matter with a mean diameter of 10 microns or less (PM10). When using saltwater that contain a much higher solids content as a backup source of cooling water, potential emissions for the cooling towers are estimated to be 943 tons/year of PM and less than 10 tons/year of PM10. The project will also result in the following estimated potential emissions increases from the small service water cooling towers and diesel engines: 25 tons/year of carbon monoxide; 36 tons/year of nitrogen oxides; 4 tons/year of PM, 3 tons/year of PM10; less than 1 ton/year of sulfur dioxide (SO<sub>2</sub>); and 4 tons/year of volatile organic compounds (VOC).



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The proposed new cooling tower project triggers preconstruction review pursuant to Rule 62-212.400, Florida Administrative Code (F.A.C.) for the Prevention of Significant Deterioration (PSD) of Air Quality for PM and PM<sub>10</sub> emissions. In accordance with this rule, the Department is required to make a determination of the Best Available Control Technology (BACT) for PM and PM<sub>10</sub> emissions. The draft permit includes the following preliminary BACT determinations for PM and PM<sub>10</sub> emissions: a maximum design droplet drift rate of 0.0005% of the circulating water flow rate from the cooling towers; and the use of ultra low sulfur diesel (0.0015% sulfur by weight, maximum) in the diesel-powered engines.

(vi) dispute with applicant/licensee

FPL contends that the absolute percentage of particulate which the aerosol from Turkey Point 6&7 will contain is very small, and even within permitted state limits. However, the Atomic Energy Act requires that all parties involved in producing nuclear energy protect public health and safety. And the particulate will, according to the FPL, average wind conditions, stay near the plant and near Biscayne National Park next door. This will threaten the health of employees at both installations and of visitors to Biscayne National Park. On days when stronger than average wind conditions the particulate will be spread over 65,000 acres of agricultural land to the west and north west where the accumulated particulate could threaten health by being absorbed in the fruit and vegetable growing there. At one time Turkey Point might have been a logical place to place a power plant. Today, with over 187,000 people living within 10 miles of the Turkey Point and a conservative projection of 280,000 by 2080, it is no longer a hospitable home for nuclear power. Do not challenge public health in this area. Either recommend that alternative energy sources be used or build the reactors somewhere

CONENTION: FOUR

Turkey Point Units 6 & 7 COL Application Part 3 — Environmental Report 7-i Revision 0 **CHAPTER 7 ENVIRONMENTAL IMPACTS OF POSTULATED ACCIDENTS INVOLVING RADIOACTIVE MATERIALS 7.2.3.2 p.7.2-5 Surface Water Exposure Pathways**

Contention: The COL fails to completely address the radiation exposure that would be caused by a radiological accident. Specifically, there is no radiation dosage given for persons a) fishing and/or b) consuming marine-based food.

The following COL statements are evidence of omitted dosage calculations:

People can be exposed to radiation when deposited airborne radioactivity runs off into or is deposited onto surface water. The exposure pathway can be from drinking the water,

external radiation from submersion in the water, external radiation from human activities near the shoreline, or ingestion of fish or shellfish. MACCS2 only calculates the dose from drinking the water.

Surface water exposure pathways involving swimming, fishing, boating, and performing activities near the shoreline are not modeled by MACCS2.

Shoreline activities of all kinds represent a large, fundamental part of the Miami-Dade tourist-based economy. Because of the climate conditions, these shoreline activities attract many residents and numerous tourists year-round. There then exists an elevated potential for large numbers of people to receive a higher-than background dose of radiation after a radiological accident. The use of an inappropriate or inadequate computer code to evaluate radiological hazards cannot be used as an excuse to avoid calculating the dosage to large at-risk population through one of the most likely and concentrated exposure pathways. Therefore, omitting the analysis of these exposure pathways for shoreline activities is unacceptable and renders the application incomplete.

#### CONTENTION: FIVE

I, Harold R. Wanless, on behalf of CASE (Citizens Allied for Safe Energy) have the following contentions and concerns over the proposal to add additional nuclear power plant facilities at Turkey Point. The FPL COL application for two new nuclear reactors at Turkey Point must be considered invalid – both the FSAR (for instance Chapter 2) and also the ER analyses (these matters are relevant to nearly every chapter of the ER) because neither considers and neither incorporates any scientifically valid projection for sea level rise through this century and beyond. Doing so will dramatically diminish and likely negate the viability of this proposal.

Such a consideration is expressly required by 10 CFR 52.79

1. Human-induced atmospheric warming is recognized to be rapidly warming the polar regions of Earth (Bindoff et al., 2008; National Research Council, 2010) leading to warming Arctic and Antarctic Ocean waters, accelerating melt of permafrost and tundra (Schuur et al., 2008; and Zimov et al., 2006), destabilization of methane hydrates (Shakhova et al, 2010), and accelerating melting of the Greenland and Antarctic Sheets (Van den Broeke et al., 2009; Velicogna, 2009; Kerr, 2009; and Jiang et al., 2010). This is leading to accelerating global sea level rise.

2. Sea level has been rising at an accelerated rate since about 1930 (Wanless et al., 1994). This has resulted in a about a 9-inch rise of sea level in south east Florida. This rise is about the global rate of sea level rise. Presently global and south Florida sea level is rising at just greater than one foot (30 cm) per century but is accelerating at 0.17 millimeters per year.
3. The Science Committee (of which I am Chair) of the Miami-Dade County Climate Change Advisory Task Force issued a projection of future sea level rise for south Florida, stating that:

“With what is happening in the Arctic and Greenland, many respected scientists<sup>4</sup> now see a likely sea level rise of **at least** 1.5 feet in the coming 50 years and a total of **at least** 3-5 feet by the end of the century, possibly significantly more. Spring high tides would be at +6 to +8 feet. This does not take into account the possibility of a catastrophically rapid melt of land-bound ice from Greenland, and it makes no assumptions about Antarctica” (MDC-CCATF, 2008).

Since issuing this statement, Ice Sheet melting has dramatically increased on both Greenland and Antarctica (Van den Broeke et al., 2009; Velicogna, 2009; Kerr, 2009; and Jiang et al., 2010). More recent projections of sea level rise through the century are at or above the levels of our 2008 statement (Rahmstorf, 2010).

4. All climate and sea level assessments agree that ice melt, and sea level rise will be accelerating into the next century. This means that we will not be adjusting living with a three- or five-foot sea level rise but one that is continues rising at an accelerating rate. If we have reached plus five feet by the end of the century, sea level will be rising at a foot per decade.
5. Circular No. 1165-2-211 of the United States Army Corps of Engineers, issued July 1, 2009, specifically directs incorporation of “the direct and indirect physical effects of projected future sea-level change in managing, planning, engineering, designing, constructing, operating, and maintaining USACE projects and systems of projects. Recent climate research by the Intergovernmental Panel on Climate Change (IPCC) predicts continued or accelerated global warming for the 21st Century and possibly beyond, which will cause a continued or accelerated rise in global mean sea-level. Impacts to coastal and estuarine zones caused by sea-level change must be considered in all phases of Civil Works programs” (USACOE, 2009). Surely a major addition to a nuclear power plant facility should fall under similar scrutiny.
6. I am not aware that sea level rise in all its ramifications has been considered and/or incorporated into the proposal for significant expansion of the Turkey Point nuclear facility.
7. It is critical that a realistic projected sea level rise through this century and beyond an understanding of the rates of sea level rise be carefully considered and incorporated into

the evaluation. Rising sea level will have significantly have changed the coastal environments, base-level elevations, storm surge patterns, and population and demographics of southeast Florida by the time the proposed units come on line – and rising sea level will dramatically diminish southeast Florida and its population by the end of the century.

- a. Incorporating future sea level changes will affect the population trends for the south Florida area and as such the future power needs.
  - b. Incorporating future sea level changes will change the viability of a nuclear power complex that is increasingly isolated from the mainland and sitting in the middle of a combined Biscayne/Florida Bay.
  - c. Incorporating future sea level changes will change the safety of the complex during major storms and terrorist threats.
  - d. Incorporating future sea level changes will dramatically change the ability of the associated cooling complex to function and to remain isolated from and prevent harm to the adjacent marine environment.
  - e. Incorporating future sea level changes will change the ability of the complex to contain any nuclear accidents.
8. Do not see that any of this has been addressed.

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Respectfully submitted,  
Dr. Harold R. Wanless  
1231 Genoa Street,  
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Professor and Chair  
Department of Geological Sciences  
University of Miami  
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Registered Florida Professional Geologist #985

## **INTRODUCTION TO CONTENTIONS SIX AND SEVEN:**

### **Introduction to contentions on so-called “low-level” radioactive waste**

So-called “low-level” radioactive waste is the official designation or category for nuclear waste that includes materials generated as byproduct material from the use of uranium. Much of this waste is *not* low risk and can remain radioactively hazardous for literally millions of years. By definition “low-level” radioactive waste is not irradiated fuel, the liquid and sludge from reprocessing irradiated fuel, nor the solid into which that liquid could be converted, but it does include plutonium and other transuranics [up to 100 nanocuries per gram], strontium-90 which concentrates in bones and teeth and iodine-129 which is biologically active and has a 16 million year half life.

So-called “low-level” radioactive waste contains many materials that are far from “low” in terms of measurable radiation, or radiological hazard, thus our use of the phrase “so-called” and the “quotes” on the words “low-level.” Fission products are inevitably generated from splitting uranium atoms to heat water to make electricity. Filters and resins that extract these fission products from the reactor core coolant and fuel pool cooling water become loaded and are classified as “low-level” radioactive waste even though some could give a lethal dose in 20 minutes if a person were exposed unshielded. “Low-level” waste can also include metal components and parts that become radioactive [activated] due to neutron bombardment. These fission product and activated metal wastes dubbed so-called “low-level” wastes are a dedicated outcome of the operation of a nuclear power reactor – it is not possible to operate without generating them as a result.

In July 2008, the one commercial disposal site in the United States open to the whole country for classes A,B and C “low-level” radioactive waste from commercial generators closed

to all but the its 3-state Atlantic compact generators in the states of South Carolina, New Jersey and Connecticut. As discussed below, there is today, no disposal site for the more concentrated Class B and C “low level” radioactive waste generated in Florida. Florida is in the Southeast Compact which does not have a disposal site to which it can send Class B and C, or Greater than C “low level” radioactive waste.

So-called “Low-Level” waste contentions have been filed in interventions on most of the COL applications currently pending before the US Nuclear Regulatory Commission including Calvert Cliffs, North Anna, Bellefonte, Vogtle, Fermi and Levy County. Some of the contentions have been filed with respect to the FSAR, some focusing on the ER, some both. Since one of the early admission of so-called “low-level” waste contentions was at North Anna, and Judge Bolwerk on admitting the concerns created two contentions – one pertaining to environmental, the other pertaining to safety, that convention is followed here.

Due to site-specific environmental concerns tied to the duration of the proposed 40 year license, CASE is filing additional contentions that are associated with the possibility that so-called “Low-Level” radioactive waste generated by Turkey Point 6 and 7 could be stored on-site for decades – indeed for the term of the license. Site-specific concerns include projected sea-level rise as well as issues associated with storm surge.

So-called “low-level” radioactive waste is a class that includes the filters and resins from the processing of liquid and gaseous radioactive waste streams, all components of the reactors that need replacement and/or are removed – including at times very large items, such as steam generators, and extremely radioactive items such as broken control rods or other reactor internals. Some of the radionuclides in this waste will be hazardous (defined as 10 – 20 half-lives) for hundreds of thousands to millions of years.

Efforts to minimize the generation of this waste are laudable – however these processes may, in some cases result in larger volumes of less concentrated waste or ever more

concentrated waste that must be stored with care for workers, the public, CASE members and the Turkey Point biome. The accumulation of this waste on the Turkey Point site – potentially for the duration of its generation, and potentially beyond (pending decommissioning) is not trivial. These concerns are material to the issue of granting a COL to FPL for Turkey Point 6 and 7 since the generation of so-called “low-level” waste cannot be severed from the operation of these reactors.

## **CONTENTION: SIX**

### **Environmental Impact of Extended Storage of So-Called “Low-Level” Waste at Turkey Point**

The Florida Power and Light (FPL) COL application is inadequate because the Environmental Report (Chapter 3 section 3.5.3) assumes that the classes B and C so-called “low-level” radioactive waste (LLRW) generated by proposed Turkey Point Units 1 and 2 will be promptly (e.g., in approximately two years) shipped offsite and fails to address the environmental impacts in the event that PEF will need to manage such LLW on the Turkey Point site for a more extended period of time. In addition it is assumed that extended storage and forms of so-called “low-level” waste management on the site that might be triggered by or associated with extended storage, such as processing, treatment or possible burial or incineration will have no environmental impact – and FPL omits any reference to these in Chapter 5 of the ER, Environmental Impacts.

The information, references and bases of Contention 4-SA are incorporated here by reference. Please see the declaration of Diane D'Arrigo in support of this contention.

The extended storage of radioactive waste generated if the COL for TP Units 6 & 7 is granted is likely. The waste storage plan which would result if the merits of Contention 4-SA are won, should be subject to the analysis of both the FPL ER and eventually the NRC's EIS for Turkey Point. The absence of such a plan leads to the absence of such an analysis.

Of particular importance in an analysis of environmental impacts are any treatment or other processes that FPL may use to concentrate or otherwise alter this waste stream. Of particular concern is any plan to bury on-site or incinerate this material – both of which may be



disguised by other names, such as “heat treat” or “pyro process.” Such activities are not currently reflected in the FPL ER Chapter 3, section 5 nor is the impact of an accumulation of waste longer than the anticipated months or years.

The additional basis is this: a so-called “low-level” waste storage plan must anticipate the possible inundation of the site during a storm surge in the not-so-distant future. The lack of inclusion of this analysis violates 52.79(iii) and would jeopardize the health, safety and well being of CASE member and TP workers as well as the general public and the biome of South Florida.

The elevated inundation of the Turkey Point site with extended storage, and therefore decades accumulation of so-called “Low-Level” waste (either processed or not) has not been adequately analyzed in the FPL ER Chapter 2, section 7 or the site description in chapter 3, or in the sections on radiological consequences in Chapter 5, section 4.

Some so-called “low-level” waste plans considered in the COL process have included storing the waste outdoors on a concrete pad. Such a plan (not mentioned by FPL) is an example of the sort of situation that could result in the unplanned, wide dispersal of radioactive materials from Turkey Point, beyond the Turkey Point site boundary.

The lack of inclusion of a thorough analysis of the potential for elevated storm surge, site inundation and the possible dispersal of so-called “Low-Level” waste off the TP site violates 52.79(iii) and would jeopardize the health, safety and well being of CASE member and TP workers as well as the general public and the biome of South Florida.

Hurricanes, cyclones and other severe weather are well understood in South Florida. What history is teaching us is that we assume that we must be informed by the recent past – but today this is not sufficient – today we must also be informed by future projections – or alternately look at the past in deep time. Sea levels have been significantly different in deep time. We have huge

bodies of government – both local, regional, national and international projecting that the sea level is going to be significantly different at Turkey Point during the term of the proposed licenses for Units 6 and 7. The fact that these issues have not been addressed in the impact assessment of adding two more reactors at Turkey Point points to a large and obvious hole in the analysis.

## **CONTENTION: SEVEN**

### **So-Called “Low-Level” Radioactive Waste Extended Storage Plan Missing**

FPL's application (FSAR Chapter 11, section 4.6) is inadequate because the Safety Analysis Report assumes that the Class B and C so-called “low-level” radioactive waste generated by the proposed Turkey Point Units 6 & 7 will be promptly (e.g. in approximately 2 years per the AP1000 DCD: page 11.4-6 ) shipped offsite despite lack access for disposal. The FSAR fails to address compliance with Part 20 and Part 50 Appendix I (ALARA) in the event that PEF will need to manage such waste on the Turkey Point Site for a more extended period of time, possibly its entire licensed operating period or longer.

The invocation of a letter with a third party for off-site management of waste generated by Turkey Point 6 and 7 does not validate that an actual transfer of title and physical transfer of the waste will occur; return of such waste to the Turkey Point site is required in the absence of disposal site access. The waste could come back from 3<sup>rd</sup> party processors since they are only licensed to store for 365 days and have limited storage capacity.

In order to meet the requirements of 52.79, NRC staff must be able to assess “a level of information sufficient to enable the Commission to reach a final conclusion on all safety matters that must be resolved by the Commission before issuance of a combined license,” 10 CFR 52.79(a)(3) specifies that the FSAR must include: “The kinds and quantities of radioactive materials expected to be produced in the operation and the means for controlling and limiting radioactive effluents and radiation exposures within the limits set forth in part 20 of this chapter.”

### **Discussion**

Please see the declaration of Diane D'Arrigo of Nuclear Information and Resource Service offered in Support of this contention addressing the non-viability of off-site and “third party” options that FPL cites in the COL for proposal for two reactors at Turkey Point. There is

today no option to send Florida-generated so-called “low-level” waste off site for disposal, and there is also no option, including Studsvik that will deliver an iron-clad guarantee that the same waste will not return to the generator under the terms of the contract.

Section 11.4.6 “COMBINED LICENSE INFORMATION FOR SOLID WASTE MANAGEMENT SYSTEM PROCESS CONTROL PROGRAM” of the FPL Final Safety Analysis Report for Turkey Point 6 and 7 states: “No additional onsite radwaste storage is required beyond that described in the DCD.” DCD means the “Design Control Document” provided by Westinghouse for the AP 1000 – now in revision 17 (so much for standardized designs).

The AP1000 DCD, section 11.4-6 states:

The packaged waste storage room provides storage for more than two years at the expected rate of generation and more than a year at the maximum rate of generation. One four-drum containment pallet provides more than 8 months of storage capacity for the liquid mixed wastes and the volume reduced liquid chemical wastes at the expected rate of generation and more than 4 months at the maximum rate.

In consideration of the range of options provided here, CASE has used the phrase “e.g. approximately 2 years” when referring to the FPL short-term plan for so-called “low-level” radioactive waste in an effort to capture the uncertainty in the DCD.

The real-world situation that is not reflected in the Westinghouse DCD nor in the FPL Final Safety Analysis Report (FSAR) is that there is not currently a so-called “Low-Level” radioactive waste disposal site available for any Class B, C or Greater-Than-C so-called “low-level” radioactive waste that would be generated at Turkey Point Units 6 or 7. The three sites that accept so-called “low-level” waste for disposal in the United States are restricted – either to the level of radioactivity accepted (a site in Clive Utah accepts only Class A) or to the geographic area of generation – (a site in Richland Washington accepts waste generated within the Rocky Mountain and Northwest Compacts, a site in South Carolina accepts waste from the Atlantic

waste compact), and a potential new site in Texas has numerous unresolved license conditions and would only be licensed for disposal of so-called "low-level" radioactive waste generated in VT or TX. These restrictions create a barrier to the acceptance of waste generated in Florida at any existing disposal site.

As demonstrated in the D'Arrigo Declaration, PEF lacks a credible basis for its assertion that it will definitely be able to ship so-called "low-level" radioactive waste generated at the proposed TP units 6 and 7 sites off of the site permanently within two years. No such disposal option exists today and two years is not a credible time span to generate a new off-site disposal option.

In violation of 52.79(a)(3) the FPL COLA fails to offer any details whatsoever about waste management and storage beyond two years. As discussed in the D'Arrigo Declaration, neither the NRC nor the public therefore has any basis for evaluating the adequacy of the COLA with respect to long-term radioactive waste storage.

As stated above --

10 CFR 52.79 (a) The final safety analysis report shall include the following information, at a level of information sufficient to enable the Commission to reach a final conclusion on all safety matters that must be resolved by the Commission before issuance of a combined license....

In addition to the matter of storage details, any and all future treatment and processing that could add to the routine and accidental radioactive and chemical releases and exposures from the operation of the reactors, management of high and so-called "low-level" radioactive waste and all of the accompanying activities, is necessary in order to assess the compliance with both 10 CFR 20 (for both workers and the public) as well as ALARA (10 CFR 50 Appendix I). It is

incumbent upon the applicant to provide sufficient information to demonstrate compliance with all applicable regulations for the radioactive waste generated by Turkey Point 6 & 7. The following regulations are offered as a context of the level of consideration and analysis that the NRC must engage with in order to “reach a final conclusion on all safety matters...before issuance of a combined license...” these include: 10 CFR 20, 10 CFR 30, 10 CFR 50, 10 CFR 61, 10 CFR 71, 10 CFR 100, 40 CFR 190 and 49 CFR 171-180. Petitioner is not framing the contention with respect to these regulations, merely noting them since a certain level of specificity is required in a plan in order for the NRC to make a “final conclusion” with respect to all of these relevant regulations.

The FPL FSAR Chapter 11, section 4-2 makes assertions that the waste generated at Turkey Point units 6 and 7 will be transferred to a third party, a Swedish corporation named Studsvik operating in Tennessee:

Consistent with current commercial agreements, a third-party contractor processes, stores, owns, and ultimately disposes of low-level waste generated as a result of operations. Activities associated with the transportation, processing, and ultimate disposal of low-level waste comply with applicable laws and regulations in order to ensure the public's health and safety. In particular, the third party contractor conducts its operations consistent with NRC regulations (e.g., 10 CFR Part 20).

Under 10 CFR 20.2001, reactor licensees may transfer low-level radioactive waste material to another licensee that is specifically licensed to accept and treat waste prior to disposal. Studsvik, Inc., has a licensed low-level radioactive waste treatment facility in Erwin, Tennessee. FPL has signed a letter of intent with Studsvik to enter into negotiations for a contract for the performance of work by Studsvik to include the shipment, processing, storage, and disposal of low-level radioactive waste produced by Units 6 & 7 (Reference 205). Under the proposed contract, Studsvik would treat the Class B and C waste at its Erwin, Tennessee facility and thereafter take responsibility for storage and final disposal.

Regardless of ownership, the Studsvik license limits storage at its facility to 1 year. Even if Studsvik were to become owner of the waste, neither it nor other TN processors and waste

generators have access to disposal for Class B and C so-called "low-level" radioactive wastes. The Studsvik waste can be stored for one year at the WCS site in TX but waste stored longer than that violates the TX WCS storage license. The WCS commercial disposal site is A) not operating and B) limited to TX and VT waste—not TN or Florida-generated waste. Although any compact can consider accepting out-of-compact waste, they have all rejected it. Importantly, the licensed capacity of the storage and disposal sites at WCS TX are too limited to take Florida's or Tennessee's generated nuclear waste. (See declaration of Diane D'Arrigo in support of this contention). Finally, there are still unresolved conditions and a question as to whether the WCS will operate. Texans have raised concerns with the whole licensing of the WCS site with federal agencies.

It is fair to say that FPL has an aspiration to hand-off the so-called "low-level" waste Turkey Point 6 & 7a would generate as quickly as possible, but it has not demonstrated conclusively that this is going to be possible.

CASE is concerned that authorizing the production of this waste (by granting the COL) when there is no disposal site or assured other option, will result in the Turkey Point site becoming a long-term so-called radioactive storage site. It is reasonable to protect CASE members to require a plan that addresses this circumstance in such a way to protect their health and safety, as well as workers at TP 6 and 7, as well as the older existing units.

**CONTENTION: EIGHT**

Limited Work Authorization

CASE adds to our petition a request that NRC deny the request from FPL to begin construction of the non-nuclear portions of this project (limited work authorization, LWA). As was the case in the Levy County COL that Progress Energy filed in 2008, the damage that could be done to the Turkey Point site under a LWA is considerable. While the Levy site is "Greenfield" the construction in the location of the Turkey Point units 6 and 7 would negatively impact wetlands,

coastal estuary and other sensitive areas. We offer a letter from the South Florida Water Management District (SWFMD exhibit) and the issues raised in it as the basis for this contention. We further invoke the expertise of the local water authority, though we make no claim that it is working on behalf of CASE. Please do not allow any type of construction on Turkey Point without first granting the full COL authority.

CONCLUSION

The Petitioner requests that this petition to intervene and request for hearing be granted. The foregoing contentions should be admitted because they clearly satisfy all of the Commission's requirements in 10 C.F.R. § 2.309.

Respectfully submitted this the 17<sup>th</sup> day of August 2010.

\_\_\_\_\_/s/\_\_\_\_\_  
Barry White  
Citizens Allied for Safe Energy  
10001 SW 129 Terrace  
Miami, FL 33176

CERTIFICATE OF SERVICE

I hereby certify that copies of this CITIZENS ALLIED FOR SAFE ENERGY PETITION TO INTERVENE AND REQUEST FOR HEARING was served on the following via email and via the EIE system:

Office of the Secretary  
ATTN: Docketing and Service  
Mail Stop 0-16C1  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001  
[hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

Patrick Moulding, (301) 415-2549  
*Office of General Counsel*  
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Antonio Fernandez, (561) 304-5288  
*Florida Power and Light*  
[Antonio.Fernandez@fpl.com](mailto:Antonio.Fernandez@fpl.com)

\_\_\_\_\_/s/\_\_\_\_\_  
Barry White  
08/17/2010



## **EXPERTS TO FLORIDA PSC: WE TOLD YOU SO!**

**PROSPECTS FOR NEW NUCLEAR REACTORS IN STATE NOW WORSE THAN EVER, INDUSTRY SHOULD NOT BE ALLOWED TO WASTE \$200 MILLION MORE IN CUSTOMER MONEY**

***Tuesday Marks Start of PSC Hearings on FPL and Progress Requests for Unjustifiable “Nuclear Cost Recovery” That Would Push Bill For Utility Consumers to Nearly \$500 Million For Nuclear Reactors That Are Not Needed ... and Very Likely Will Never Be Built.***

**TALLAHASSEE, FL.///August 19, 2010///**When the Florida Public Service Commission (PSC) starts its hearings Tuesday on a request for nearly \$200 million in additional advance billing of Florida utility customers for the construction of four proposed new reactors by FPL and Progress Energy, the Commissioners will have in front of them the testimony of Mark Cooper, senior fellow for economic analysis at the Institute for Energy and the Environment at Vermont Law School, and Arnold Gundersen, chief engineer for Fairewinds Associates, Inc.

Today, Cooper and Gundersen held a news conference to send a very simple message to the PSC: We told you so!

In testimony provided in 2009 and then reiterated in 2010, the two national experts told the Commission that a combination of rapidly deteriorating circumstances – including fast-rising reactor costs, project delays, unresolved AP1000 reactor design issues, falling natural gas prices and reduced demand due to the recession and increased energy efficiency – all made it unlikely the FPL and Progress Energy reactors would ever be constructed. (See the lengthy list below of 2010 setbacks for FPL and Progress Energy.)

Testifying on behalf of the Southern Alliance for Clean Energy, Cooper and Gundersen are both recommending that the PSC reject the nearly \$200 million combined hike in utility rates – which could eventually add up to over \$40 per month for Progress customers and would be in addition to \$269 million in cost recovery from utility consumers already authorized by the PSC in 2009. Now closing in on a potential \$500 million in higher utility bills, Florida’s “nuclear cost recovery” arrangements for new reactor construction allow for hundreds of millions of dollars to be taken from electricity customers – even if the reactors in question fail to be constructed and never generate a single kilowatt of power.

Mark Cooper, senior fellow for economic analysis at the Institute for Energy and the Environment at Vermont Law School, said: **“In 2009, we told the Florida PSC that it should deny the FPL and Progress requests for recovery of hundreds of millions of dollars of costs for the proposed nuclear reactors at Turkey Point and in Levy County because they were no longer necessary and would result in billions of dollars of excess costs being needlessly imposed on consumers. A year later, that reality is finally starting to impose itself on the utilities. The proposed Florida reactor delivery dates have been pushed back by half a decade and FPL now goes so far as to say it has not yet decided whether to actually build the reactors. Unfortunately, both utilities have asked to continue charging ratepayers for costs for these reactors that may never be built, insisting that they have to continue to pursue their license applications to keep their place in line at the Nuclear Regulatory Commission. This just puts Florida utility consumers in the position of paying for FPL and Progress to hold their place in a line that is most likely going to end up going nowhere.”**

Arnold Gundersen, a nuclear engineer and energy adviser at Fairewinds Associates, Inc., said: **“FPL and Progress Energy are relying on the AP1000 reactor design, which is not currently approved and has at least two major unresolved design and safety issues that U.S. regulators are insisting be addressed. That is going to mean even more delay and higher costs. When the selected design for a proposed Florida reactor is not certified as hurricane proof, it is very difficult to see**

how things are going to get anywhere any time soon. Small wonder then that top executives at three leading U.S. utilities -- including the president of FPL itself -- have acknowledged the uncertainties surrounding attempts at licensing and constructing new nuclear generation. Given the design problems with the reactors alone, the least-cost option would be the immediate cancellation of these reactors, rather than bleeding consumers for what may end up being nothing more than the nuclear equivalent of white elephants."

Stephen Smith, executive director, Southern Alliance for Clean Energy: "It is unprecedented that a state PSC is giving this level of early cost recovery for projects that are now over 10 years out before any reasonable chance of completion. We believe that the appropriate action here is for the PSC to suspend this docket and stop granting any additional cost recovery that will further burden ratepayers. These plans can be evaluated in a couple years when and if these proposals are relevant and when the utilities have a better understanding of what their legitimate needs are. By doing this, the PSC will protect Florida's families and businesses while forcing the utilities to rethink their shaky plans. We have consistently argued that there are low-risk and low-cost resource alternatives available to the proposed new reactors in Florida -- such as energy efficiency. The energy efficiency savings levels by Florida's largest utilities are appallingly low relative to other states -- it's time for more to be done there versus wasting billions on new reactors."

### **THE TRENDS AGAINST MORE NUCLEAR POWER IN FLORIDA**

In his 2009 and subsequent 2010 testimony, Cooper presented evidence that the fundamental economics of nuclear reactor construction no longer supported the construction of new reactors in Florida, if they ever did.

In particular, Cooper emphasized the dramatic changes in key variables that rendered nuclear reactors uneconomic and unnecessary:

- Declining natural gas costs;
- Declining estimates of carbon prices;
- Declining demand due to the economic slowdown;
- Reduced need for nonrenewable generation due to increased energy efficiency;
- Fast-rising projections of nuclear construction costs; and
- The high degree of uncertainty in the economic environment that new reactors face.

As Cooper explains: "What looked bad for more nuclear in Florida in 2009 looks even worse on every single front now in 2010. All of these factors are still at work and many have continued to develop in a manner that further undermines the long-term feasibility of ever completing these proposed nuclear reactors in Florida. As a result, it is neither reasonable nor prudent to incur additional costs for these proposed reactors."

### **RECENT SETBACKS FOR FPL AND PROGRESS ENERGY**

- **January 2010:** FPL announces that they'll suspend plans for Turkey Point reactors based on decision of Florida PSC to reduce proposed rate hike from \$1.26 billion to \$75.5 million.
- **January 2010:** Progress Energy announces that they'll slow the Levy County process based on the same Florida PSC decision, in which they got none of a \$500 million rate hike request.

- **January 2010:** Fitch puts FPL (Turkey Point reactors) on ratings watch 'Negative' after decision by Florida PSC to not provide FPL's full rate increase request.
- **February 2010:** Progress Energy extends delay on Levy County reactors to at least 36 months.
- **February 2010:** Toshiba/Westinghouse indicate that regulatory problems could cause up to 3 years in delay for Florida reactors (Turkey Point and Levy County).
- **March 2010:** FPL announces delay of Turkey Point reactors past 2018, signals interest in federal loan guarantee bailout.
- **April 2010:** Moody's downgrades FPL from low to moderate risk over pursuit of Turkey Point reactors.
- **May 2010:** Cost estimates move from \$17.2 billion for the two reactors to \$22.5 billion for Levy County reactors.
- **May 2010:** Fitch downgrades Progress Energy to just above junk bond status.
- **May 2010:** The timeline for the two Levy County reactors are pushed back again, with the first projected to be online in 2021, the second some 18 months later. The original timeline had the reactors set to come online in 2016 and 2018 respectively.
- **June 2010:** FPL President Olivera meets with the Sun Sentinel editorial board and admits that FPL may never build these new nuclear reactors due to licensing and economic concerns, cheap natural gas prices, and unresolved design issues as to whether or not the proposed reactors can withstand hurricanes.

#### **ABOUT SACE**

Southern Alliance for Clean Energy (SACE) promotes responsible energy choices that create global warming solutions and ensure clean, safe and healthy communities throughout the Southeast. Founded in 1985, SACE is the only regional organization primarily focused on developing clean energy solutions throughout the Southeast.

**CONTACT:** Ailis Aaron Wolf, (703) 276-3265 or [aawolf@hastingsgroup.com](mailto:aawolf@hastingsgroup.com).

**EDITOR'S NOTE:** A streaming audio replay of the news event will be available on the Web at <http://www.cleanenergy.org> as of 6 p.m. EDT on August 19, 2010.

**Blue Mangrove Gallery**  
**1089 N Collier Blvd. #417**  
**Marco Island, Fl.**  
**34145**

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August 20, 2010

To whom it may concern,

100009-EI

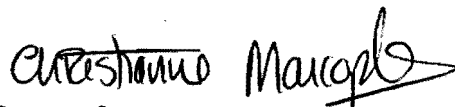
As a Florida business owner I urge you to not vote or support any funding directed at Nuclear Reactors. Please do not allow any public funding of either two plants, specifically FPL's Turkey Point near Miami & the proposed Progress site in Levy County which ate at the cost of nearly 10 billion to build.

Florida needs to move towards energy efficient & clean renewable energy that can protect Florida families & businesses from financial risk & preserve Florida's vital natural resources our economy depends on.

We are currently experiences the Horizon Disaster which is another but very large wake up call for the state of Florida & this country that it is NOW that we all must make every effort to reduce waste & develop natural energy solutions.

Thank you very much.

Sincerely,



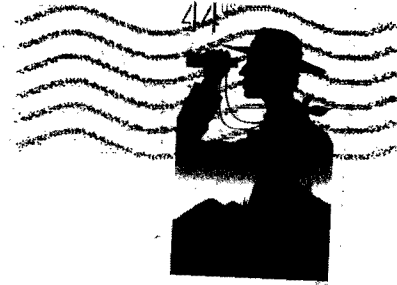
Christianne Marcoplos  
President

**BLUE MANGROVE GALLERY**

1089 NORTH COLLIER BOULEVARD #417  
MARCO ISLAND, FLORIDA 34145-2562

FT MYERS FL 339

20 AUG 2010 PM 5 L



Florida Public Service Comm.  
2540 Schumard Oak Blvd.  
Tallahassee FL  
32399

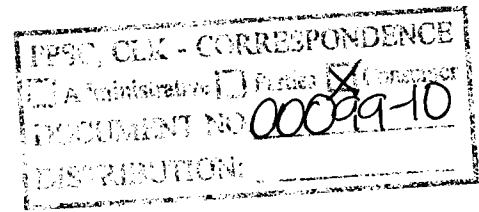
Ref Doclet # 100009

32399930850



**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Friday, August 20, 2010 2:51 PM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009  
**Attachments:** approving rate hikes to Progress energy; Untitled



Thank you for this information. These attachments have been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket 100009-EI.

Thank you,

Diamond Williams  
 Staff Assistant  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
 Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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**From:** Ruth McHargue  
**Sent:** Thursday, August 19, 2010 4:59 PM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

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**From:** Diane Hood  
**Sent:** Thursday, August 19, 2010 4:33 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

These have been filed with docket 100009. DH

8/20/2010

## Diamond Williams

---

**From:** Kathleen Schmidheini [lkschmidheini@yahoo.com]  
**Sent:** Wednesday, August 18, 2010 8:30 PM  
**To:** Consumer Contact  
**Subject:** approving rate hikes to Progress energy

I would prefer Florida subsidize my need for a windmill so I can get out from under these money hungry monopolists!

## Diamond Williams

---

**From:** barry parsons [barryparsons9@yahoo.com]

**Sent:** Thursday, August 19, 2010 12:50 PM

**To:** Consumer Contact

**Cc:** hopeforcleanwater@yahoo.com; barryparsons9@yahoo.com

PSC members:

I cannot believe that the PSC is still even considering raising our electric rates to cover, IN ADVANCE, the foolhardy construction of nuclear power plants -- which may not ever be completed ! What kind of "logic" is it that compels us to even consider paying ahead of time for the boondoggle of nuclear power, with all the problems it has proven, over the years, that it CANNOT SOLVE: SAFETY, HAZARDOUS WASTE, DANGEROUS TRANSPORTATION OF FUEL AND WASTE, OPERATIONAL HAZARDS and, most all perhaps, CONSISTENT COST OVERRUNS and FAILURE TO DELIVERY COST-EFFECTIVE ENERGY?

There has got to be a reason why experts from the Union of Concerned Scientists' David Lochbaum (nuclear scientist) to Amory Lovins of the Rocky Mountain Institute energy think tank to Arjun Makhijani (nuclear scientist - see [www.ieer.org](http://www.ieer.org)) to savvy individual investors like T.Boone Pickens and Warren Buffet to Moody's and Standard and Poor's investment raters to major investment companies ---- ALL of whom see nuclear power as a dangerous, poor investment. Indeed, Moody's and S&P see nuclear power plants as the investment MOST LIKELY TO DEFAULT on loans.

To make matters even worse --if that seems possible-- the entire nuclear industry is dependent on government-backed insurance (no private insurance entity in its right mind would ensure nuclear power plants ! ) and government-supported loans. Were those subsidies and protections withdrawn (as they should be), the entire so-called nuclear "renaissance" would collapse like a house of cards.

Please ! Let us have some common sense, here! Nuclear is the SINGLE WORST energy investment Florida could make. It would make much more sense to pile serious money into concentrated solar plants (like FP&L has in southern California) and ratcheting up development and IMPLEMENTATION of ocean current power (being studied at FAU, etc.), with which Florida could LEAD THE NATION.

The proposed rate hike referenced to cover nuclear power construction deserves your UNANIMOUS REJECTION.

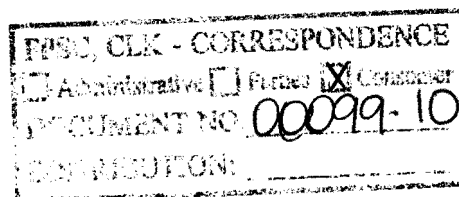
barry g parsons,  
Environmental Alliance of North Florida  
Madison, Florida

8/20/2010



**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Friday, August 20, 2010 2:50 PM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009



**Attachments:** nuclear plants; Docket No. 100009; Docket #100009; Docket 100009; Nukes; No Rate Hikes for New Nuclear Reactors! Docket 100009 ; Nuclear Plant in Crystal River

Thank you for this information. These attachments have been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

---

**From:** Ruth McHargue  
**Sent:** Thursday, August 19, 2010 10:53 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

---

**From:** Diane Hood  
**Sent:** Thursday, August 19, 2010 10:19 AM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

These have been filed with docket 100009 and where there is an address to identify which utility name, I added the company code. DHood

## Diamond Williams

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**From:** Boyadj45@aol.com  
**Sent:** Wednesday, August 18, 2010 4:59 PM  
**To:** Consumer Contact  
**Subject:** nuclear plants

ABSOLUTELY NO!!! You plan this nonsense now? No brains? The country is in a depression . Keep in mind Florida has a large base of retirees barely making it on social security, which congress did not allow for a raise for 3 years.

**Diamond Williams**

---

**From:** apluslessons [apuluslessons@embarqmail.com]  
**Sent:** Wednesday, August 18, 2010 4:38 PM  
**To:** Consumer Contact  
**Subject:** Docket No. 100009

No more nuclear power plants in Florida. They're unsafe in any environment, but particularly so in today's terrorist climate.

They endanger the citizens of Florida because of radiation. There's no way to contain such radiation if it gets out. There are also the problems of waste and waste disposal.

In your endless quest for energy sources, you have severely damaged the Gulf of Mexico. Now you want to add nuclear power plants, with all their attendant dangers.

The citizens of Florida do not want nuclear power plants. We are in a perfect location to take advantage of solar power. Why not take advantage of the sun's energy? Wouldn't you make as much in profits?

**Diamond Williams**

---

**From:** ppattiplcsam@aol.com  
**Sent:** Wednesday, August 18, 2010 5:12 PM  
**To:** Consumer Contact  
**Subject:** Docket #100009

CLEAN ENERGY is the answer. There is NO reason this should not be considered. My electric bill is more than my mortgage. WHY? Did you ever wonder? I think some serious price gouging is going on to the people. STOP IT NOW!

Thanks

Patti Constantino-Martin  
34610  
7278563877

## Diamond Williams

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**From:** Ann Grewe [annie.grewe@gmail.com]  
**Sent:** Wednesday, August 18, 2010 5:39 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009

Florida Public Service Commission  
2540 Schumard Oak Blvd.  
Tallahassee, FL 32399  
Reference Docket 100009

Dear Public Service Commissioners,

Through studying the issue, I have come to the opinion that expanding our country's existing set of nuclear reactors would be the wrong decision for very many reasons, some of which are listed below.

I have learned that the financing for new nuclear reactors is an economical nightmare. The Congressional Budget Office estimates the likelihood of default for nuclear plants to be "well above 50 percent." Business investors and investment banks have determined that the nuclear industry is such a poor financial risk that they shy away from financing an expansion of nuclear power without using government-guaranteed financing (taxpayers).

Federal government loan guarantees for new nuclear reactors would create a significant liability to U.S. taxpayers. Because the funds for nuclear loan guarantees almost certainly would come from the Federal Financing Bank, taxpayers would be

First, loaning the money and

Second, guaranteeing to themselves that the money would be repaid.

The economics do not stand up to scrutiny – except for those few people who stand to profit.

"The United States does not need to significantly expand its reliance on nuclear power to make dramatic cuts in power plant carbon emissions through 2030—and indeed that new nuclear reactors would largely be uneconomical." So says the Union of Concerned Scientists on their website.

They also write that although nuclear power is sometimes touted as a "domestic" energy resource that can displace reliance on imported fuels and stimulate the

economy,

- About 80 percent of U.S. nuclear fuel is imported.
- Nuclear power will displace little if any imported oil because very little oil is used to generate electricity today.
- Most major nuclear plant components will be manufactured by overseas corporations such as France's AREVA and Japan's Mitsubishi Heavy Industries.

Additionally, nuclear waste continues to be dangerous to life for centuries after it has been discarded. Its radioactive emissions may be invisible, but as the National Academy of Sciences has determined, there is no safe level of radiation exposure.

Our energy policy for the future must be based on implementing the fastest, cheapest, cleanest and safest solutions to our climate crisis. I want to see our taxpayer dollars spent on harnessing solar, wind, tidal, geothermal, hydroelectric – all renewable energy sources – as power of the future.

Sincerely,

Ann L. Grewe  
869 Barrymoore Loop  
The Villages, FL 32162

## Diamond Williams

---

**From:** Bill Savarese [billsavarese@yahoo.com]  
**Sent:** Wednesday, August 18, 2010 6:39 PM  
**To:** Consumer Contact  
**Cc:** browardgreens@yahoogroups.com  
**Subject:** Nukes

Dear PSC,

In these "awkward" times in our country, this is no time to be investing in expensive nuclear power. The great Sunshine State should be investing in the energy source that our that state name shouts; SUNSHINE! If we were to invest in clean renewable solar power by increasing subsidies for rooftop solar panels, we would be creating good jobs and approaching an energy policy that is truly clean. Nuclear energy is NOT clean! Nuclear waste and any potential reactor leaks, is never considered in total costs... it's down the road, somewhere. The reason FPL and Progress must have these loan guarantees is because Wall Street won't touch them with a 10 foot pole. Asking the American people to absorb all the risks, AND have us finance the reactors before their even built, is pure lunacy! Externalizing all financing and risks... the cooperate dream. But you're working for WE THE PEOPLE of Florida! Remember this....please.....

Thank you,

**Bill Savarese, artist**

Ecology Party  
1700 NE 17th Terrace  
Ft. Lauderdale, Fl. 33305  
(954) 562 3659 cell  
(954) 568 7648 fax  
billsavarese@yahoo.com  
www.muralsbybill.com

**Diamond Williams**

---

**From:** Art Richard [art\_richard@bellsouth.net]  
**Sent:** Thursday, August 19, 2010 5:38 AM  
**To:** Consumer Contact  
**Subject:** No Rate Hikes for New Nuclear Reactors! Docket 100009

Please spare the people of Florida of the unfair advance rate hikes to pay for nuclear reactors that may not even be built! We can't afford it!

Regards,  
Art

---

**Art Richard**  
[art\\_richard@bellsouth.net](mailto:art_richard@bellsouth.net)



## Diamond Williams

---

**From:** judi oglio [joglio1@tampabay.rr.com]  
**Sent:** Thursday, August 19, 2010 9:38 AM  
**To:** Consumer Contact  
**Subject:** Nuclear Plant in Crystal River

How can you possibly charge higher costs when you haven't even built .

Nuclear energy is supposed to cut costs not raise them.

Consider FLOATING A BOND to pay for this.

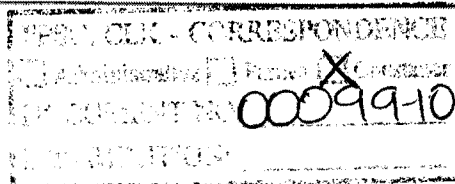
By, the way I am a stock holder in Progress Energy. But, I am also a consumer whose utility costs keep rising. An being retired income isn't rising.

Thank you , Even though I know the wheels are in motion I had to plead my case to deaf ears.

j. oglio

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Friday, August 20, 2010 2:49 PM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009



**Attachments:** Docket 100009; re: Docket 100009 ; Docket 100009; Docket 100009; Docket 100009; Please oppose early cost recovery for nuclear plants; costly new nuclear reactors; Docket 100009; in response to docket 100009; Docket 100009; nukes; Docket # 100009

Thank you for this information. These attachments have been printed and placed in **Docket Correspondence-Consumers and their Representatives**, in Docket **100009-E1**.

Thank you,

Diamond Williams  
 Staff Assistant  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: [diwillia@psc.state.fl.us](mailto:diwillia@psc.state.fl.us)  
 Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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**From:** Ruth McHargue  
**Sent:** Thursday, August 19, 2010 10:32 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

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**From:** Diane Hood  
**Sent:** Wednesday, August 18, 2010 4:07 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

These have been filed with docket 100009 and where there is an address to identify which utility name, I added the company code. DHood

8/20/2010

**Diamond Williams**

---

**From:** Joe Serpico [jserpico@tampabay.rr.com]  
**Sent:** Wednesday, August 18, 2010 2:26 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009

Regarding Progress Energy and FP&L's request for rate hikes to build new nuclear plants:

As a resident of Pinellas county and a Progress Energy customer, I urge you to deny these rate hikes. If Progress Energy cannot meet the demand for power with their current generating capabilities, they should begin offering incentives for customers to reduce their use, as other utilities have done around the nation. Progress Energy should also begin using clean renewable energy sources, instead of forcing their customers to pay for risky and expensive new nuclear reactors.

If Progress Energy feels so strongly that nuclear is the only option, then let the company pay for the construction out of their own pocketbooks, not ours!

Regards,  
Joe Serpico  
4215 E Bay Dr  
Clearwater FL 33764

8/20/2010

**Diamond Williams**

---

**From:** mindfulon1 [mindfulon1@aol.com]  
**Sent:** Wednesday, August 18, 2010 2:11 PM  
**To:** Consumer Contact  
**Subject:** re: Docket 100009

I do not want any nuclear power plants to be built or increased in size and I do not want my electric bill to rise for that dirty and dangerous source of electricity

It is not right for the utilities to continue to dip into Floridian's pocketbooks to pay in advance for building risky new nuclear reactors.

Instead, Florida needs to move toward energy efficiency and clean, renewable energy that can protect Florida's natural resources on which Florida's economy relies.

Constance Langmann  
340 Kingston Drive West  
Fort Myers, FL 33905

**Diamond Williams**

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**From:** enzo\_piccone@hotmail.com  
**Sent:** Wednesday, August 18, 2010 1:33 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009

To: FL PSC

This is but the briefest of notes -- for now -- to say that I am 100% against building, funding or otherwise supporting new nuclear power plants in this state.

Sincerely,

Enzo Piccone  
601 N Osceola Ave.,  
Clearwater, FL  
33755-3839

8/20/2010

## Diamond Williams

---

**From:** Suzanne Valencia [suzmvalencia@gmail.com]  
**Sent:** Wednesday, August 18, 2010 2:01 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009

To Whom It May Concern:

Please do NOT allow Progress Energy of Florida nor Florida Power and Light raise our electric rates to build more nuclear power plants. The likelihood of my seeing a benefit in my lifetime is practically nil. Why should we be paying in advance for something that may never come to be? Would we then get refunds? Of course not. Let the power companies take the money from the stock holders instead of the citizens.

Suzanne Valencia  
410 Lemon Grove Ave  
West Melbourne, FL 32904

## Diamond Williams

---

**From:** Deirdre Ruffino [deidretr@yahoo.com]  
**Sent:** Wednesday, August 18, 2010 12:06 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009

I do not want to pay more money to finance new nuclear plants in Florida. When someone comes up with a sane plan to deal with nuclear waste, then--and only then--should the nuclear industry be allowed to continue its expansion.

I would rather time and effort be put into setting up solar or wind energy--system-wide.

Please stop this road to nowhere and invest in sustainable, non-polluting energy sources.

Wise leaders look forward, not behind. This is long overdue.

Yours truly,

Deirdre T. Ruffino  
234 Palm Trail  
Delray Beach, FL 33483  
561-276-5128  
deidretr@yahoo.com

## Diamond Williams

---

**From:** UFDionysus@aol.com  
**Sent:** Wednesday, August 18, 2010 1:14 PM  
**To:** Consumer Contact  
**Subject:** Please oppose early cost recovery for nuclear plants

I oppose the proposed nuclear power plants, and the proposed mechanism for paying for them. Please do not allow any utility to charge customers in advance to help them build a risky and expensive boondoggle. Please promote renewables instead.

Thanks,

Michael Adler  
Gainesville, FL



## Diamond Williams

---

**From:** al ro [alexrou@gmail.com]  
**Sent:** Wednesday, August 18, 2010 12:21 PM  
**To:** Consumer Contact  
**Subject:** costly new nuclear reactors

Florida needs to move toward energy efficiency and clean, renewable energy that can protect Florida's families and businesses from financial risk as well as preserve Florida's vital natural resources on which Florida's economy relies.

## Diamond Williams

---

**From:** William Wilgus [wmwilgus@hotmail.com]  
**Sent:** Wednesday, August 18, 2010 12:48 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009

It is patently unfair to even consider allowing Electric Utilities to charge current customers for future Nuclear Generation Plants that in all probably will never be completed. Finland's problems building their new Nuclear Plan provide clear evidence of that fact. Need I remind you of LILCO's plant that was built but never allowed to start up over un-acceptable evacuation plans? Finally, no private finance entities are willing to provide construction funds for these extremely risky endeavors. It's time to say no to the most expensive and risky method of electric generation---at least at the current customer and taxpayer's expense!

Respectfully,

William Wilgus  
530 NE 134th Court  
Silver Springs, FL 34488-3936  
352-239-2180  
WmWilgus@Hotmail.com

8/20/2010

**Diamond Williams**

---

**From:** Rachael Stern [gabrielle266@yahoo.com]  
**Sent:** Wednesday, August 18, 2010 3:20 PM  
**To:** Consumer Contact  
**Subject:** in response to docket 100009

Dear Sir or Madam:

As a concerned citizen of Florida, I feel it necessary to comment on Docket 100009. I am against the proposal by Progress Energy of Florida and Florida Power & Light to charge customers tens of millions of dollars in advance to pay for nuclear reactors, which will raise electric bills before the reactors even produce electricity, if they're ever even built. It is not fair for the utilities to continue to dip into Floridian's pocketbooks to pay in advance for building risky new nuclear reactors at FPL's Turkey Point nuclear plant near Miami and the proposed Progress site in Levy County. Instead, Florida needs to move toward energy efficiency and clean, renewable energy that can protect Florida's families and businesses from financial risk as well as preserve Florida's vital natural resources on which Florida's economy relies.

Personally, I am against all expansion into and funding for new nuclear reactors, and believe existing nuclear reactors should be safely phased out of the power grid. They are extremely dangerous and unnecessary, as well as being a source of dangerous, toxic nuclear waste. Instead, these companies should be focusing on expanding their renewable energy options in wind and solar power. I hope the PSC will support that change in policy and deny PEF and FPL's proposal to raise rates to fund new nuclear power reactors.

Thank you for considering my comments.

Sincerely,  
Rachael Stern

8/20/2010

**Diamond Williams**

---

**From:** Donna Selquist [dselquist@gmail.com]  
**Sent:** Wednesday, August 18, 2010 3:34 PM  
**To:** Consumer Contact  
**Subject:** Docket 100009

I am opposed to extending any loans to the nuclear industry, and also any further development of that industry until such time as safe and economical ways to dispose of waste and any byproducts are available.

I strongly feel tht our efforts and funding should be directed toward renewable energy sources, such as solar, hydro, wave, etc. I also oppose further investment and /or exploration into any energy source dependent on fossil fuels as a source.

Even more objectionable would be allowing FL power companies to charge customers in advance for construction costs for nuclear plants that might not even be operational for generations. Most customers buy their electricity from for-profit power companies. I strongly feel that cost of construction should come from company profits, and that the investors - not the cutomers - should bear the costs.

I urge you to conmsider my opinions in making yur decisions.

Thank you.

Donna J Selquist  
Port St Lucie, FL

**Diamond Williams**

---

**From:** ICHECKYOU@aol.com  
**Sent:** Wednesday, August 18, 2010 3:26 PM  
**To:** Consumer Contact  
**Subject:** nukes

Forget the nukes, go Solar. I just installed a 5,000 watt system on my house and half of the time I am feeding the grid, this is where we should be headed, no nuke power

David Yesser  
1988 Bee Pond Road  
Palm Harbor FL 34683

8/20/2010

## Diamond Williams

---

**From:** marcia@accentsaway.com  
**Sent:** Wednesday, August 18, 2010 3:43 PM  
**To:** Consumer Contact  
**Subject:** Docket # 100009

Please do not allow the utility companies to charge customers for new nuclear reactors. They are risky and there is no safe way to dispose of the waste. We need to have a clean energy future with more wind and solar power.

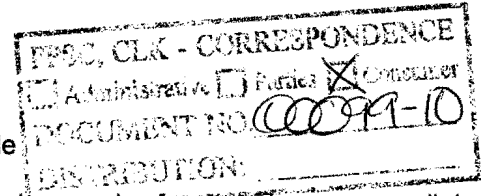
Thank you!  
Marcia

*Marcia Hoodwin, M.A.  
Certified Speech-Language Pathologist  
Telephone: 941-921-9533  
marcia@accentsaway.com  
<http://www.accentsaway.com>*

100009-EI

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Thursday, August 12, 2010 10:25 AM  
**To:** Ellen Plendl  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Email for correspondence side of docket file



**Attachments:** : are you kidding me? 20-24 months of additional excessive fees rate in creases...all done... by design...stay the course like solar rebates, SOAK the CONSUMER; RE: : are you kidding me? 20-24 months of additional excessive fees rate in creases...all done... by design...stay the course like solar rebates, SOAK the CONSUMER



: are you kidding me? 20-24 months of additional excessive fees rate in creases...all done... by design...stay the course like solar rebates, SOAK the CONSUMER; RE: : are you kidding me? 20-24 months of additional excessive fees rate in creases...all done... by design...stay the course like solar rebates, SOAK the CONSUMER

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Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

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

**From:** Ellen Plendl  
**Sent:** Thursday, August 12, 2010 10:23 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** Email for correspondence side of docket file

Please add the attached email and PSC response to the correspondence side of docket file 100009-EI.

Thanks!

**Diamond Williams**

---

**From:** ebe612@netzero.net  
**Sent:** Thursday, August 12, 2010 10:01 AM  
**To:** asmith@sptimes.com; Bill.Young@mail.house.gov; campaign@alexsink2010.com; Consumer Contact; desk@baynews9.com  
**Cc:** bill@billnelson.senate.gov; Cheryl Bulecza-Banks; chair08@pinellasdemocrats.com; dateline@nbcuni.com; desk@tampabays10.com; Editor@people.com; editor@usatoday.com; gadsden@sptimes.com  
**Subject:** : are you kidding me? 20-24 months of additional excessive fees rate in creases...all done... by design...stay the course like solar rebates, SOAK the CONSUMER

**Progress Energy's** \$17 billion-24 BILLION nuclear project has been delayed by an additional 20-24 months, but its customers will continue to pay for it in their monthly electric bills...outrageous!

The utility wants to start charging customers nearly twice as much next year for the Levy County project even though it won't start producing power until March 2018 at the earliest, the St. Petersburg utility announced Friday morning. The delay may also increase the price of the project, but the utility won't know the details until later this year.

I agree that our need for electric power must be assured, but I object to the plan to finance the plant(s) in Levy County in Florida because it holds Florida's 1.7M rate payers hostage to pay for the preconstruction costs, enabled by law s366.93. The proposed Nuclear Power Plant to be built by Progress Energy, a privately owned, operated, and stock holder supported electric corporation. It has been given what is referred to as a "Special Privilege" which is in violation of our State Constitution. Our legislators have not corrected this situation, and to add insult to injury, didn't even hold a hearing on the



bills filed, SB 1830 or companion HB 1101. There was no political will in our legislature to represent the people of Florida and strike down this unbearable law. It now appears, Tallahassee is broken.

The Florida State Constitution; Article III, Section 11 (which addresses Special Prohibited Laws; subsection (12) "There shall be no special law or general law of local application pertaining to: (a) ... grant of privilege to a private corporation." This speaks volumes, but unless we speak up to protect our Constitutional rights, and our rights as Floridians, do you think our elected representatives in Tallahassee will do it for us? I ask you; "Have they done it so far?" You know the answer to that one.

By their own admission, members of the legislature either didn't read or understand the 193 page bill that gave Progress Energy that huge increase in our electric rates in January, including the extra 11+% we, the rate payers, were required to pay for the pre-construction costs for the plant in Levy County that may, or may not, ever be built in the first place! Many rate payers will be deceased before the plant would go online. And now Progress Energy is asking that we pay those unconstitutional costs as well as their new rationalizations<sup>20</sup> for more costs to be passed on to the rate payers...us, before the Public Service Commission.

Where is the outrage from our elected representatives? Why didn't they try to repeal this huge boondoggle? Do we have to appeal this law to the Supreme Court for someone to pay attention?

Since Jan. 1, 2009, Progress Energy has collected from the 1.7M ratepayers, including all those on fixed income, the unemployed, and those retirees that will never have the opportunity to benefit from the new power plant generation of power in 20 years, a total in excess of \$44 Million through the end of March. The money is going into the pockets of the greedy CEO (who receives \$5M salary/year and lives in North Carolina plus the salary of the local CEO, Mr. Lyash, who

seems obsessed with the stock holders reasonable rate of return), including the general stockholders of Progress Energy, in one of the worst economic times in our state history. The score thus far: Progress Energy Corporation 1...Rate Payers 0.

It is time to take action. We Floridians are being held hostage by this wrongfully enacted state law that has us paying for a nuclear plant in Levy County that we don't know will ever be built. We must not sit by and abrogate our rights without making our voices heard.

This is our last best chance to stop the new, outrageous rate hike being proposed by Progress Energy.

The plan of attack is two-pronged.

The first is to call our local Commissioner on the Public Service Commission. Her name is Nancy Argenziano, and she lives in Dunnellon, was formerly our State Senator, but now she can be reached at her State Commissioner's office at (800) 342-3552. She needs to hear from all of us to help her make the right decision, and stop the newly requested Progress Energy rate hike!

The second is to sign a petition sponsored by "Florida's We The People" to block the rate hike as requested by Progress Energy because it is UNCONSTITUTIONAL. To sign the petition, please contact: <http://www.thepetitionsite.com/1/a-protest-of-the-uncon...> .

The petitions will be delivered to the Governor, with the demand that he take action to uphold the Constitution and protect rate payers rights!

Let's make our voices heard loud and clear!

Suzan Franks

Spokesperson for Florida's We The People

652 E. Dakota Ct., Hernando, FL 34442

Tel: 352-527-4123

---

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## Diamond Williams

---

**From:** Ellen Plendl  
**Sent:** Thursday, August 12, 2010 10:22 AM  
**To:** 'ebe612@netzero.net'  
**Subject:** RE: : are you kidding me? 20-24 months of additional excessive fees rate in creases...all done... by design...stay the course like solar rebates, SOAK the CONSUMER

Mr. Christopher Blau  
ebe612@netzero.net

Dear Mr. Blau:

This is in response to your August 12, 2010, email to the Florida Public Service Commission (PSC), regarding Progress Energy's recovery of prudently incurred preconstruction costs associated with nuclear power plants.

Florida Statute 366.93 indicates that after a petition for determination of need is granted, a utility may petition the commission for cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

In compliance with the Florida Statute, in February 2007 the PSC enacted a rule that adheres to the statute. Rule 25-6.0423, Florida Administrative Code, allows investor-owned utilities to recover costs for nuclear and coal gasification plants.

Upon PSC approval of a utility's need for a nuclear plant upgrade or new plant construction, the utility can petition for cost recovery. The PSC held the first annual nuclear cost recovery evidentiary hearings on September 11 and 12, 2008, where commissioners heard testimony from utility companies, consumer groups, and the public.

On October 14, 2008, the PSC first approved cost recovery amounts covering construction of proposed new nuclear plants and upgrades to existing nuclear plants for Progress Energy. Costs will be recovered from customers through the capacity cost recovery charge on their bills beginning in January 2009. The PSC's decision was based on evidence developed during the September 11, and 12, 2008 nuclear cost recovery hearings.

The uprate of the existing Crystal River nuclear plant and the proposed new nuclear facility in Levy County will add 2,380 megawatts of new nuclear base load generation to Progress Energy's system. The new nuclear Levy Units 1 & 2 are expected to come online in 2016 and 2017 and will also power about one million average-sized residential homes using 1,200 kilowatts per month.

Progress Energy's approved cost recovery includes costs associated with the uprate of its existing nuclear generating plant at Crystal River, and the construction of its proposed nuclear power plants, Levy Units 1 and 2. These completed projects will add 2,380 MWs of new nuclear base load generation to Progress Energy's system, enough energy to power 1.3 million homes. Costs will be recovered through the capacity cost recovery charge on customer bills beginning in 2010.

The next hearing in which the PSC will set the 2011 capacity cost recovery charge and the fuel adjustment charge will began during the first week of November 2010. You may use the following link to view and listen to the hearings:

<http://www.floridapsc.com/agendas/audiovideo/index.aspx>

After each hearing, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

<http://www.floridapsc.com/agendas/audiovideo/archives/>

I will add your comments to the correspondence side of Docket No. 100009-EI regarding the nuclear cost recovery.

If you have any questions or concerns please call me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Thursday, August 12, 2010 9:40 AM  
**To:** Ellen Plendl  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Email for correspondence side of docket file

PSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00009-10		
DISTRIBUTION:		

**Attachments:** Untitled; Consumer Inquiry - Progress Energy Florida, Incorporated



Untitled



Consumer  
Inquiry - Progress E

Thank you for this information. These attachments have been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ellen Plendl  
**Sent:** Thursday, August 12, 2010 8:09 AM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** Email for correspondence side of docket file

Please add the attached email and PSC response to the correspondence side of docket files 100001-EI and 100009-EI.

Thanks!

## Diamond Williams

---

**From:** Diane B. Fosnow [djfosnow@embarqmail.com]  
**Sent:** Wednesday, August 11, 2010 11:47 AM  
**To:** Diane B. Fosnow; Governor Charlie Crist  
**Subject:** Re: Progress Energy Bills

I recieved your message it the same as last one. He gets so many emails don't have for people. Governor Crist does not have a problem taking federal money of 1.3 billion for the teachers. He dosen't seem to have time to help people with the power bills that out of sight. Maybe he should take time for the small people to help them save money when they are on a fix income. Thanks a lot.

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

**From:** Diane B. Fosnow <mailto:djfosnow@embarqmail.com>  
**To:** Charlie.Crist@myflorida.com  
**Sent:** Tuesday, August 10, 2010 2:56 PM  
**Subject:** Fw: Progress Energy Bills

I recieved your message I new that you would not call me since that what your aid said would do. I want to ask why you can't ask for a special session of the senate like you did for gulf spill. Gov Bush signed the bill to approve Progress Energy to pass on cost to the home owners to build a power plant. This has not even started. If you wanted to help people out due to high cost of energy fuel cost that are pass on to us as secondary fuel cost. You could ask the senate to repeal it. So home owners can afford to pay for their electric. My has double and tripled. You should caring about Floridans since you are still Govenor. I know you are trying to run for a senator. You still need to help us out. Care for the people that put in as Govenor. These are hard times and we need help. With the heat we have in florida our bill are to high. HELP Thank You

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

**From:** Diane B. Fosnow <mailto:djfosnow@embarqmail.com>  
**To:** Charlie.Crist@myflorida.com  
**Sent:** Thursday, July 22, 2010 10:49 AM  
**Subject:** Progress Energy Bills

Dear Governor

I would like to have chance to talk to you about the electric bills that we get from Prograss Energy.

It has got so out of control with secondary energy rates that are being pass on to the home owners that under hard times it is getting tough to pay our electric bills. They are out of sight due to the extreme heat. Give us a break.

I understand that congress and senate pass it to allow to get raises to build power plants before they even begin. I talk to the people who approves the cost to past on to home owners and they have no control since it was approved by governmet. I feel you should get this bill repealed.

This is why I like to talk to you. The people are served under Progress Energy are very upset we cannot go on like this.

We need help under these hard times. Please help us Governor.

Thank You

Gerald Fosnow  
386 775 1779

## Diamond Williams

---

**From:** Diane B. Fosnow [djfosnow@embarqmail.com]  
**Sent:** Tuesday, August 10, 2010 2:57 PM  
**To:** Governor Charlie Crist  
**Subject:** Fw: Progress Energy Bills

I recieved your message I new that you would not call me since that what your aid said would do. I want to ask why you can't ask for a special session of the senate like you did for gulf spill. Gov Bush signed the bill to approve Progress Energy to pass on cost to the home owners to build a power plant. This has not even started. If you wanted to help people out due to high cost of energy fuel cost that are pass on to us as secondary fuel cost. You could ask the senate to repeal it. So home owners can afford to pay for their electric. My has double and tripled. You should caring about Floridans since you are still Govenor. I know you are trying to run for a senator. You still need to help us out. Care for the people that put in as Govenor. These are hard times and we need help. With the heat we have in florida our bill are to high. HELP Thank You

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**From:** Diane B. Fosnow <mailto:djfosnow@embarqmail.com>  
**To:** Charlie.Crist@myflorida.com  
**Sent:** Thursday, July 22, 2010 10:49 AM  
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We need help under these hard times. Please help us Governor.

Thank You

Gerald Fosnow  
386 775 1779



## Diamond Williams

---

**From:** Diane B. Fosnow [djfosnow@embarqmail.com]  
**Sent:** Wednesday, August 11, 2010 11:49 AM  
**To:** Governor Charlie Crist  
**Subject:** Re: Progress Energy Bills

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

**From:** Diane B. Fosnow <mailto:djfosnow@embarqmail.com>  
**To:** Diane B. Fosnow <mailto:djfosnow@embarqmail.com> ; Charlie.Crist@myflorida.com  
**Sent:** Wednesday, August 11, 2010 11:47 AM  
**Subject:** Re: Progress Energy Bills

I recieved your message it the same as last one. He gets so many emails don't have for people. Governor Crist does not have a problem taking federal money of 1.3 billion for the teachers. He dosen't seem to have time to help people with the power bills that out of sight. Maybe he should take time for the small people to help them save money when they are on a fix income. Thanks a lot.

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This is why I like to talk to you. The people are served under Progress Energy are very upset we

cannot go on like this.

We need help under these hard times. Please help us Governor.

Thank You

Gerald Fosnow  
386 775 1779

## Diamond Williams

---

**From:** Ellen Plendl  
**Sent:** Thursday, August 12, 2010 8:06 AM  
**To:** 'djfosnow@embarqmail.com'  
**Subject:** Consumer Inquiry - Progress Energy Florida, Incorporated

Gerald Fosnow  
djfosnow@embarqmail.com

Dear Mr. Fosnow:

The Governor's office forwarded a copy of your email regarding Progress Energy Florida, Incorporated (Progress Energy) to the Florida Public Service Commission (PSC). The PSC regulates investor-owned electric, natural gas, and telecommunications utilities throughout Florida, and investor-owned water and wastewater utilities in those counties which have opted to transfer jurisdiction to the PSC. You expressed a concern about Progress Energy's recovery of prudently incurred preconstruction costs associated with nuclear power plants.

Florida Statute 366.93 indicates that after a petition for determination of need is granted, a utility may petition the commission for cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

In compliance with the Florida Statute, in February 2007 the PSC enacted a rule that adheres to the statute. Rule 25-6.0423, Florida Administrative Code, allows investor-owned utilities to recover costs for nuclear and coal gasification plants.

Upon PSC approval of a utility's need for a nuclear plant upgrade or new plant construction, the utility can petition for cost recovery. The PSC held the first annual nuclear cost recovery evidentiary hearings on September 11 and 12, 2008, where commissioners heard testimony from utility companies, consumer groups, and the public.

On October 14, 2008, the PSC first approved cost recovery amounts covering construction of proposed new nuclear plants and upgrades to existing nuclear plants for Progress Energy. Costs will be recovered from customers through the capacity cost recovery charge on their bills beginning in January 2009. The PSC's decision was based on evidence developed during the September 11, and 12, 2008 nuclear cost recovery hearings.

The uprate of the existing Crystal River nuclear plant and the proposed new nuclear facility in Levy County will add 2,380 megawatts of new nuclear base load generation to Progress Energy's system. The new nuclear Levy Units 1 & 2 are expected to come online in 2016 and 2017 and will also power about one million average-sized residential homes using 1,200 kilowatts per month.

Progress Energy's approved cost recovery includes costs associated with the uprate of its existing nuclear generating plant at Crystal River, and the construction of its proposed nuclear power plants, Levy Units 1 and 2. These completed projects will add 2,380 MWs of new nuclear base load generation to Progress Energy's system, enough energy to power 1.3 million homes. Costs will be recovered through the capacity cost recovery charge on customer bills beginning in 2010.

You also expressed a concern about the fuel adjustment charge. The fuel adjustment charge recovers the actual expenses associated with securing and processing fuel necessary to run the power plants used to generate electricity. Fuel rates mirror rising and falling fuel costs as reflected in the international marketplace. The

revenue generated by the fuel adjustment charge does not add to the profit of the utility companies, but goes to pay fuel suppliers and transporters. The cost of fuel is shown as a separate cents per kilowatt-hour charge, and fuel costs are not contained in any other charge on your bill.

Each year, utilities file their projected fuel expenses for the upcoming calendar year. The PSC, along with the Office of Public Counsel and other consumer representatives closely examine the fuel costs requested by the utilities. Public hearings are held annually to set the fuel factors for the next year. Since rates are set on projected costs, at the end of the year, the costs are “trued-up” or compared to the audited actual expenses incurred by the utility. If the utility recovered more than its actual costs, the amount of over-recovery is used to reduce the next year’s costs. If the utility under-recovered (costs were higher than expected) that deficit is likewise rolled into the next year. The fuel cost adjustment is recognized by virtually all state commissions, by the Federal Energy Regulatory Commission, and is also used by most municipal electric utilities and rural electric cooperatives.

The next hearing in which the PSC will set the 2011 capacity cost recovery charge and the fuel adjustment charge will began during the first week of November 2010. You may use the following link to view and listen to the hearings:

<http://www.floridapsc.com/agendas/audiovideo/index.aspx>

After each hearing, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

<http://www.floridapsc.com/agendas/audiovideo/archives/>

I will add your comments to the correspondence side of Docket Nos. 100009-EI and 100001-EI regarding the nuclear cost recovery.

If you have any questions or concerns please call me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

**Diamond Williams**

PSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION:		

**From:** Diamond Williams  
**Sent:** Tuesday, August 03, 2010 11:03 AM  
**To:** Ellen Plendl  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: Docket Correspondence

**Attachments:** FW: can't you please do something about progress energy charging customers too much?;  
 RE: can't you please do something about progress energy charging customers too much?



FW: can't you RE: can't you  
 ease do someth ease do someth

Thank you for this information. These attachments have been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
 Staff Assistant  
 Office of Commission Clerk  
 Florida Public Service Commission  
 Email: diwillia@psc.state.fl.us  
 Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ellen Plendl  
**Sent:** Tuesday, August 03, 2010 10:48 AM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** Docket Correspondence

Please add the attached email and response to the correspondence side of Docket 100009-EI.

**Diamond Williams**

---

**From:** Governor Charlie Crist [Charlie.Crist@eog.myflorida.com]  
**Sent:** Tuesday, August 03, 2010 10:33 AM  
**To:** Ellen Plendl  
**Subject:** FW: can't you please do something about progress energy charging customers too much?

---

**From:** SQUIRRELSANGEL08@aol.com [mailto:SQUIRRELSANGEL08@aol.com]  
**Sent:** Monday, August 02, 2010 12:13 PM  
**To:** Governor Charlie Crist  
**Subject:** can't you please do something about progress energy charging customers too much?

## **PSC to decide if Progress can hike bills to meet efficiency go**

**The Florida Public Service Commission will decide next month whether to allow Progress Energy Florida to hike its customers' bills to an average of \$17 a month over 10 years so the company can meet the PSC's energy efficiency goals.**

**als**

**But energy consumer watchdog group Southern Alliance for Clean Energy said the amount the utility giant wants to charge customers is bloated with exaggerated cost estimates in order to justify building new power plants instead.**

## Diamond Williams

---

**From:** Ellen Plendl  
**Sent:** Tuesday, August 03, 2010 10:47 AM  
**To:** 'SQUIRRELSANGEL08@aol.com'  
**Subject:** RE: can't you please do something about progress energy charging customers too much?

SQUIRRELSANGEL08@aol.com

Dear Sir/Madam:

The Governor's office forwarded a copy of your email regarding Progress Energy Florida, Incorporated (Progress Energy) to the Florida Public Service Commission (PSC). The PSC regulates investor-owned electric, natural gas, and telecommunications utilities throughout Florida, and investor-owned water and wastewater utilities in those counties which have opted to transfer jurisdiction to the PSC.

You expressed a concern about Progress Energy's nuclear cost recovery. We appreciate your comments regarding the petition and will add your correspondence to Docket No. 100009-EI.

If you have any questions or concerns please call me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, August 03, 2010 3:53 PM  
**To:** Office Of Commissioner Graham  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Hello

FSS, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 000099-10		
DISTRIBUTION:		

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-E1.

---

**From:** Betty Ashby **On Behalf Of** Office Of Commissioner Graham  
**Sent:** Tuesday, August 03, 2010 2:20 PM  
**To:** Ann Cole  
**Subject:** FW: Hello

Please add to docket #100009. Thanks.

---

**From:** Susan Fernandez [mailto:susan@onmessage.com]  
**Sent:** Friday, July 30, 2010 1:50 PM  
**To:** Office Of Commissioner Graham  
**Subject:** Hello

Commissioner Graham,

This email is in response to the up-coming meeting with Progress Energy next month to decide whether or not Progress Energy can increase its rates on customers. I implore you to reject that increase until the economy picks up to a more positive upswing and pace. Personally, the recession that we just we through nearly killed my family financially. We were able to survive, made "cutbacks" in our budget and pulled through while keeping our house and paying our bills. We are still on a "rocky road" and are in a slow pace towards a full recovery probably for the next two years. One of the areas we cut back was on electricity, air conditioning, etc., because as it is electricity bills are very expensive, but unfortunately electricity is a necessity. Please don't vote to approve this until Florida's economy is more sound. Florida ranks the worst in the nation right now economically due to job loss as well as foreclosures and the decline in home values. This is not the time for an increase of any type.

Kind Regards,

**Susan Fernandez**  
Cell (407) 913-3199

8/3/2010

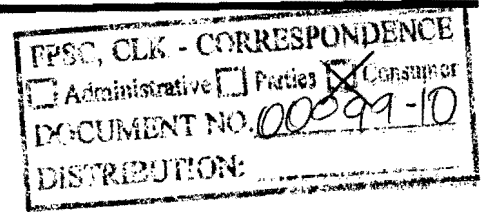


100009-E1

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Friday, July 30, 2010 8:45 AM  
**To:** Ellen Plendl  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: Email

**Attachments:** FW: Progress Energy Bills; RE: Progress Energy Bills



FW: Progress Energy Bills RE: Progress Energy Bills

Thank you for this information. These attachments have been printed and placed in Docket Correspondence-Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

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

From: Ellen Plendl  
Sent: Friday, July 30, 2010 8:37 AM  
To: Diamond Williams  
Cc: Ann Cole; Dorothy Menasco  
Subject: Email

For correspondence side of Docket 100009-EI.

## Diamond Williams

---

**From:** Governor Charlie Crist [Charlie.Crist@eog.myflorida.com]  
**Sent:** Monday, July 26, 2010 5:31 PM  
**To:** Ellen Plendl  
**Subject:** FW: Progress Energy Bills

---

**From:** Diane B. Fosnow [mailto:djfosnow@embarqmail.com]  
**Sent:** Thursday, July 22, 2010 10:49 AM  
**To:** Governor Charlie Crist  
**Subject:** Progress Energy Bills

Dear Governor

I would like to have chance to talk to you about the electric bills that we get from Progress Energy. It has got so out of control with secondary energy rates that are being pass on to the home owners that under hard times it is getting tough to pay our electric bills. They are out of sight due to the extreme heat. Give us a break.

I understand that congress and senate pass it to allow to get raises to build power plants before they even begin. I talk to the people who approves the cost to past on to home owners and they have no control since it was approved by governmet. I feel you should get this bill repealed.

This is why I like to talk to you. The people are served under Progress Energy are very upset we cannot go on like this.

We need help under these hard times. Please help us Governor.

Thank You

Gerald Fosnow  
386 775 1779

7/30/2010

## Diamond Williams

---

**From:** Ellen Plendl  
**Sent:** Friday, July 30, 2010 8:35 AM  
**To:** 'djfosnow@embarqmail.com'  
**Subject:** RE: Progress Energy Bills

Mr. Gerald Fosnow  
djfosnow@embarqmail.com

Dear Mr. Fosnow:

The Governor's office forwarded a copy of your email regarding Progress Energy Florida, Incorporated (Progress Energy) to the Florida Public Service Commission (PSC). The PSC regulates investor-owned electric, natural gas, and telecommunications utilities throughout Florida, and investor-owned water and wastewater utilities in those counties which have opted to transfer jurisdiction to the PSC. You expressed a concern about Progress Energy's petition to recover prudently incurred preconstruction costs associated with nuclear power plants.

Florida Statute 366.93 indicates that after a petition for determination of need is granted, a utility may petition the commission for cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

In compliance with the Florida Statute, in February 2007 the PSC enacted a rule that adhere to the statute. Rule 25-6.0423, Florida Administrative Code, allows investor-owned utilities to recover costs for nuclear and coal gasification plants.

Upon PSC approval of a utility's need for a nuclear plant upgrade or new plant construction, the utility can petition for cost recovery. The PSC held the first annual nuclear cost recovery evidentiary hearings on September 11 and 12, 2008, where commissioners heard testimony from utility companies, consumer groups, and the public.

On October 14, 2008, the PSC approved cost recovery amounts covering construction of proposed new nuclear plants and upgrades to existing nuclear plants for Progress Energy. Costs will be recovered from customers through the capacity cost recovery charge on their bills beginning in January 2009. The PSC's decision was based on evidence developed during the September 11, and 12, 2008 nuclear cost recovery hearings.

The uprate of the existing Crystal River nuclear plant and the proposed new nuclear facility in Levy County will add 2,380 megawatts of new nuclear base load generation to Progress Energy's system. The new nuclear Levy Units 1 & 2 are expected to come online in 2016 and 2017 and will also power about one million average-sized residential homes using 1,200 kilowatts per month.

In October 2009, the PSC approved cost recovery for Progress Energy related to construction of planned nuclear generating plants and uprates of existing generating units.

Progress Energy's approved cost recovery includes costs associated with the uprate of its existing nuclear generating plant at Crystal River, and the construction of its proposed nuclear power plants, Levy Units 1 and 2. These completed projects will add 2,380 MWs of new nuclear base load generation to Progress Energy's system, enough energy to power 1.3 million homes.

The next hearing in which the PSC will set the 2011 fuel adjustment charge will begin during the first week of

November 2010. You may use the following link to view and listen to the hearings:

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After each hearing, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

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I will add your comments to the correspondence side of Docket No. 100009-EI regarding the nuclear cost recovery.

If you have any questions or concerns please call me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO: 000099-10		
DISTRIBUTION:		

**Ann Cole**

**From:** Ann Cole  
**Sent:** Monday, July 26, 2010 12:55 PM  
**To:** Office Of Commissioner Edgar  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: Nuclear Power Plants at Turkey Point  
**Importance:** High  
**Attachments:** Res No 141-10-13175.pdf

Tracking:	Recipient	Read
	Office Of Commissioner Edgar	Read: 7/26/2010 12:56 PM
	Commissioners Advisors	
	Administrative Assistants - Commission Suite	
	Roberta Bass	Read: 7/26/2010 12:56 PM
	Ryan West	Read: 7/26/2010 12:56 PM

Thanks, Roberta. The attachment has been printed and will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

---

**From:** Office Of Commissioner Edgar  
**Sent:** Monday, July 26, 2010 12:21 PM  
**To:** Ann Cole  
**Subject:** FW: Nuclear Power Plants at Turkey Point  
**Importance:** High

Please place this correspondence and attachment in Docket No. 100009-EI. Thank you.

*Roberta*

Roberta S. Bass  
 Chief Advisor to Commissioner Edgar  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399  
 (850) 413-6016 (Office)  
 (850) 413-6017 (Facsimile)  
 (850) 559-7291 (Mobile)  
[roberta.bass@psc.state.fl.us](mailto:roberta.bass@psc.state.fl.us)

---

**From:** Payne, Nkenga [mailto:Npayne@cityofsouthmiami.net]  
**Sent:** Monday, July 26, 2010 12:19 PM  
**To:** Office of Commissioner Argenziano; Office of Commissioner Skop; Office Of Commissioner Edgar; Office Of Commissioner Graham; Office of Commissioner Brisé  
**Subject:** Nuclear Power Plants at Turkey Point  
**Importance:** High

Good Afternoon,

7/26/2010

The City of South Miami Commission has adopted Resolution No. 141-10-13175. This resolution expresses the City's opposition to all plans for construction of any new nuclear power facilities and the expansion of existing nuclear power plants at FP&L Nuclear Power facility at Turkey Point, Homestead, Florida.

As such, I am forwarding a copy of this resolution on behalf of our Commission asking for your support with regards to this issue.

Your attention to this matter is greatly appreciated.

Please acknowledge receipt of this email.

Thanks,

*Nkenga "Nikki" Payne*

*Deputy City Clerk*

*City of South Miami*

*6130 Sunset Drive*

*South Miami, FL 33143*

*(305)663-6340 office*

*(305)663-6348 fax*

[npayne@cityofsouthmiami.net](mailto:npayne@cityofsouthmiami.net)

[www.cityofsouthmiami.net](http://www.cityofsouthmiami.net)

Please note: The state of Florida has a very broad public records law. Written communications, including emails, are therefore subject to disclosure to the public and media upon request.

7/26/2010

**RESOLUTION No: 141-10-13175**

**A Resolution of the Mayor and City Commission of the City of South Miami, Florida, opposing the construction of any additional nuclear power plants at Turkey Point, Homestead, Florida; and providing an effective date.**

**Whereas**, since 1972 FP&L's Turkey Point nuclear reactors have had a history of safety issues resulting in more than fifty citations from the Nuclear Regulatory Commission and other environmental and safety problems, including more than twenty citations and safety issues since 2008, and

**Whereas**, more than two million pounds of nuclear waste are stored at Turkey Point, and

**Whereas**, global warming and rising sea levels are a real danger to Turkey Point which was only five feet above sea level in 1972, and

**Whereas**, Turkey Point is in a hurricane and storm surge zone; and

**Whereas**, Turkey Point is situated between two national parks and over the water supply for the entire Florida Keys and much on southern Miami-Dade County; and

**Whereas**, salt water intrusion and increased levels of water salinity from the operation of Turkey Point Reactors 3 & 4 are already major concerns in the area; and

**Whereas**, the planned use of SW 359 Street as a service road through wetlands for Turkey Point 6 & 7 will compromise a \$135 Million CERP/Comprehensive Everglades Restoration Project; and

**Whereas**, Tritium and Strontium 90 are present in the area and research is currently being done to establish their levels and concentrations; and

**Whereas**, the construction of the additional nuclear power plants, as well as the operation of the existing facilities, will have adverse impacts on water quality, ecology, farm lands, cause salt water intrusion, as well as adversely impact the habitat of protected species, wetlands and much needed fresh groundwater input to Biscayne Bay, and

**Whereas**, the new nuclear power plants will require more than ninety million gallons of fresh water a day to cool the reactors, causing severe problems to the already water restricted Southeast Florida, and

**Whereas**, the safety of more than three million residents who reside within fifty miles of Turkey Point, Homestead, is being compromised with no possible evacuation plan nor countywide emergency medical plan in the event of a natural or manmade disaster at Turkey Point, and

**Whereas**, the International Atomic Energy Commission has stated that little can be done to protect nuclear facilities such as Turkey Point from an airborne terrorist attack or an attack on spent fuel, and

**Whereas**, the economic and ecological risks associated with the entire nuclear power fuel cycle are vast including the long term of safeguarding nuclear waste produced at Turkey Point, and

**Whereas**, the two additional nuclear power plants will take ten to fifteen years to become operational, which will make them technologically obsolete before completion, and

**Whereas**, the estimated cost of thirty billion dollars or more which the public is expected to prepay, would be much better spent on creating and/or subsidizing an alternative energy industry. This industry will create many thousands of permanent jobs, as opposed to the relatively few which would be created by establishing new nuclear power plants.

**Whereas**, the elected officials of South Miami whose job it is to protect the City's residents, strongly oppose FP&L's plans to build two additional nuclear power plants at Turkey Point, Homestead, Florida.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, THAT:**

**Section 1.** The City of South Miami is opposed to all plans for construction of new nuclear power facilities and the expansion of existing nuclear power plants at the FP&L Nuclear Power facility at Turkey Point.

**Section 2.** The City of South Miami supports energy policies based on investment in the rapid development of solar and wind energy, and all other proven renewable energy solutions, combined with a comprehensive program promoting energy efficiency and conservation.

**Section 3.** The City Clerk shall provide a copy of this Resolution to Governor Charlie Crist, Miami-Dade Mayor Carlos Alvarez, The municipalities of Pinecrest, Palmetto Bay, Cutler Bay, Coral Gables, Doral and to the Nuclear Regulatory Commission.

**Section 4.** This Resolution shall take effect immediately upon adoption.

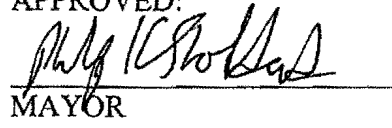
PASSED AND ADOPTED this 20<sup>th</sup> day of July, 2010.



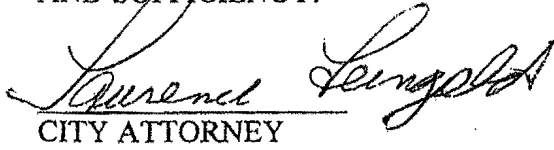
ATTEST:

  
CITY CLERK

APPROVED:

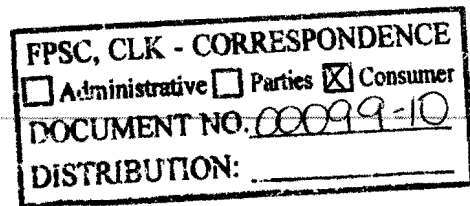
  
MAYOR

READ AND APPROVED AS TO FORM  
AND SUFFICIENCY:

  
CITY ATTORNEY

COMMISSION VOTE: 5-0

Mayor Stoddard:	Yea
Vice Mayor Newman:	Yea
Commissioner Beasley:	Yea
Commissioner Harris:	Yea
Commissioner Palmer:	Yea



**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, May 25, 2010 3:23 PM  
**To:** Bill McNulty  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite; Keino Young; Judy Harlow  
**Subject:** FW: Progress FL - NWSC Membership  
**Attachments:** Membership Ltr Utilities Non-Mem FY10-11.doc; Membership Invoice - Utilities Non-Mem FY10-11.doc

Thanks, Bill.

The two attachments have been printed and will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket No. 100009-EI.

---

**From:** Bill McNulty  
**Sent:** Tuesday, May 25, 2010 3:17 PM  
**To:** Ann Cole  
**Cc:** Keino Young; Cristina Slaton; Judy Harlow  
**Subject:** FW: Progress FL - NWSC Membership

Ann,

Please place this e-mail with attached files in the correspondence side of Docket No. 100009-EI (Nuclear Cost Recovery) today.

Thank you,  
 Bill

*Bill McNulty*  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0855  
 (850) 413-6028 (office)  
 (850) 413-6029 (fax)  
[bmcnulty@psc.state.fl.us](mailto:bmcnulty@psc.state.fl.us)

---

**From:** The NWSC [mailto:[thenwsc@nc.rr.com](mailto:thenwsc@nc.rr.com)]  
**Sent:** Thursday, May 20, 2010 3:44 PM  
**To:** Judy Harlow; Bill McNulty  
**Subject:** Progress FL - NWSC Membership

Hi:

In the past, former Commissioners Terry Deason and Katrina McMurrian encouraged Progress Energy Florida to

5/25/2010

become member of the NWSC. At one point, Mr. Lewis was seriously considering becoming a member, but I can't remember the reason why Progress didn't join. Attached is a copy letter and an invoice that was sent to Progress.

I don't know if protocol in FL has changed for a state commissioner to encourage membership in an organization. If protocol allows, anything that Commissioner Skop can do to speak with Mr. Lewis and encourage membership with the NWSC will be appreciated.

Many thanks.

Martez

---

Martez Norris  
Executive Director  
Nuclear Waste Strategy Coalition  
P.O. Box 5233  
Pinehurst, NC 28374  
Tel: (910) 295-6658  
Cell: (910) 783-7012  
Fax: (910) 295-0344  
Email: [thenwsc@nc.rr.com](mailto:thenwsc@nc.rr.com)  
Website: [www.thenwsc.org](http://www.thenwsc.org)

Executive Committee Officers:

David Wright, Chair  
Commissioner, SC Public Service Commission

Renze Hoeksema, Vice Chair  
Director of Federal Affairs, DTE Energy

David Boyd, Membership  
Commissioner, MN Public Utilities Commission

Robert Capstick, Finance  
Director of Government Affairs, Yankee Atomic/Connecticut Yankee

Greg White, Communications  
Commissioner, MI Public Service Commission



May 19, 2010

**••INVOICE ••**

Mr. Paul Lewis  
Manager, Florida Regulatory Affairs  
Progress Energy Florida  
16 East College Avenue, Suite 800  
Tallahassee, FL 32301

NWSC membership covering July 1, 2010 – June 30, 2011.

\$10,000.00

Please make check payable to **NWSC Custodial Account** and mail it to:

NWSC  
P.O. Box 5233  
Pinehurst, NC 28374-6718  
Attn: Martez Norris

**Xcel Energy Federal ID number: 411967505.**

*Thank you for supporting the Nuclear Waste Strategy Coalition.*

Executive Committee Officers:

David Wright, Chair  
Commissioner, SC Public Service Commission

Renze Hoeksema, Vice Chair  
Director of Federal Affairs, DTE Energy

David Boyd, Membership  
Chairman, MN Public Utilities Commission

Robert Capstick, Finance  
Director of Government Affairs, Yankee Atomic/Connecticut Yankee

Greg White, Communications  
Commissioner, MI Public Service Commission

# NWSC

## Nuclear Waste Strategy Coalition

May 19, 2010

Mr. Paul Lewis  
Manager, Florida Regulatory Affairs  
Progress Energy Florida  
16 East College Avenue, Suite 800  
Tallahassee, FL 32301

Dear Mr. Lewis:

The Nuclear Waste Strategy Coalition (NWSC) invites the Progress Energy to join in our efforts for the continued support for the nuclear waste disposal program (Program). Fiscal year 2011 and beyond are pivotal years for the Program, in face of the Administration's position eliminating the Yucca Mountain permanent repository, and the withdrawal of the license application with prejudice from the Nuclear Regulatory Commission (NRC), with no Plan "B." Consequently, these actions prompted several lawsuits in the Courts and petitions to the NRC.

Meanwhile, the nation's ratepayers are paying into the Nuclear Waste Fund (NWF) more than \$770M annually. With interest credit, this Fund earns approximately \$1.1B. Since 1983, the NWF has accumulated more than \$35B, including interest.

Regardless of the Administration's adversarial actions, the NWSC continues to advocate support for the Program by working closely with members of Congress to ensure 30 years of scientific and technological work will not be destroyed in the process by the Department of Energy (DOE). We are also advocating with Congress to fully fund the NRC to ensure that the license application hearings and technical reports are completed in a timely manner. We are also working with the Blue Ribbon Commission proposed by the Administration to ensure its findings will be unbiased and impartial, providing fair and comprehensive recommendations with regards to the management and disposal of spent nuclear fuel and high-level radioactive waste currently stranded at 121 sites in 39 states.

We are a one-of-a kind organization of state agencies, attorney's general, utility regulators, utilities, and associate members from 47 states whose focus is to resolve the Yucca Mountain nuclear waste management issue confronting our nation. Membership in the NWSC provides your organization a rare opportunity to work with these organizations and benefit from the strong and cohesive voice of our broad-based membership when visiting with members of Congress and the Administration. Rarely do members of Congress and the Administration have the occasion to meet face-to-face with such a diverse group working together to resolve a problem of mutual concern.

The NWSC believes that an effective disposal program should consist of a permanent repository; an integrated transportation plan; and, centralized interim facilities that advance and complement the permanent repository while addressing near-term needs.

Your organization will be a valuable asset in conveying our important message to Congress and the Administration. Respectfully, we request that your organization becomes a member of the NWSC. The membership fee is \$10,000. An invoice is enclosed.

Sincerely,

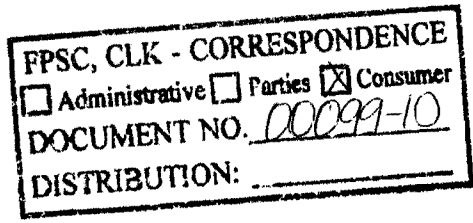


David Wright  
Commissioner, South Carolina Public Service Commission and  
Chairman, Nuclear Waste Strategy Coalition

100009-E1

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Monday, May 24, 2010 8:08 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009- Response requested



Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Thursday, May 20, 2010 10:46 AM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: To CLK Docket 100009- Response requested

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Thursday, May 20, 2010 8:50 AM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009- Response requested

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

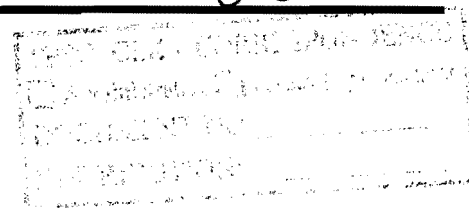
**From:** Webmaster  
**Sent:** Monday, May 17, 2010 8:15 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**Diamond Williams**

100009-E1

**From:** Diamond Williams  
**Sent:** Wednesday, May 12, 2010 10:13 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009- Response requested



Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-E1.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Wednesday, May 12, 2010 10:07 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009- Response requested

customer correspondence

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

**From:** Consumer Contact  
**Sent:** Wednesday, May 12, 2010 9:44 AM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009- Response requested

Copy on file, see 942839C. DH

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

**From:** Webmaster  
**Sent:** Wednesday, May 12, 2010 8:20 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
Sent: Tuesday, May 11, 2010 9:25 PM  
To: Webmaster  
Cc: jec118@aol.com  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Joan Crosby

Company:

Primary Phone: 407-327-1221

Secondary Phone: 407-252-1875

Email: jec118@aol.com

Response requested? Yes

CC Sent? Yes

Comments:

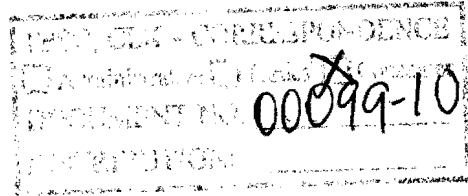
I can't even think that one should be responsible for something that may never be built or something that one pays for and may never be built. How can we be paying for a nuclear plant that we will never see or better yet we pay for and never has to be built with our money?? How can you give Progress Energy so much 'power'?? I'm not college educated but this is just so stupid to me.



**Diamond Williams**

100009-EI

**From:** Diamond Williams  
**Sent:** Wednesday, May 12, 2010 9:58 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Docket 100009 - response



Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Wednesday, May 12, 2010 9:53 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Docket 100009 - response

Hi Diamond,  
In reviewing the below e-mail again, I believe it should have been added to docket 090451, not 100009.  
Thanks,  
Ruth

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

**From:** Diamond Williams  
**Sent:** Tuesday, May 11, 2010 10:25 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Docket 100009 - response

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams

Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

From: Ruth McHargue  
Sent: Monday, May 10, 2010 9:57 AM  
To: Diamond Williams  
Cc: Ann Cole; Dorothy Menasco  
Subject: Docket 100009 - response

Customer correspondence

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

From: Webmaster  
Sent: Thursday, May 06, 2010 10:42 AM  
To: Consumer Contact  
Subject: FW: My contact

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
Sent: Thursday, May 06, 2010 10:41 AM  
To: Webmaster  
Cc: rtzeller@hotmail.com  
Subject: My contact

Contact from a Web user

Contact Information:  
Name: Robert Zeller  
Company:  
Primary Phone:  
Secondary Phone:  
Email: rtzeller@hotmail.com

Response requested? Yes  
CC Sent? Yes

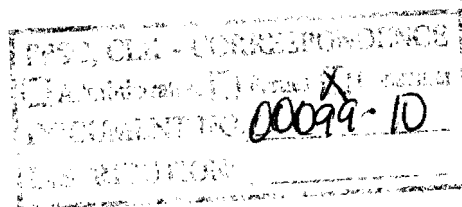
Comments:

Please vote NO on the City of Gainesville's Biomass Plant. We just can afford it under already difficult economic conditions and no biomass plant has ever been successful in reducing utility costs. Thank you

100009-E1

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Tuesday, May 11, 2010 10:25 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Docket 100009 - response



Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

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

**From:** Ruth McHargue  
**Sent:** Monday, May 10, 2010 9:57 AM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** Docket 100009 - response

Customer correspondence

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

**From:** Webmaster  
**Sent:** Thursday, May 06, 2010 10:42 AM  
**To:** Consumer Contact  
**Subject:** FW: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Thursday, May 06, 2010 10:41 AM  
**To:** Webmaster  
**Cc:** rtzeller@hotmail.com  
**Subject:** My contact

Contact from a Web user

Contact Information:

Name: Robert Zeller

Company:

Primary Phone:

Secondary Phone:

Email: rtzeller@hotmail.com

Response requested? Yes

CC Sent? Yes

Comments:

Please vote NO on the City of Gainesville's Biomass Plant. We just can afford it under already difficult economic conditions and no biomass plant has ever been successful in reducing utility costs. Thank you

100009-EI

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Tuesday, May 04, 2010 8:22 AM  
**To:** Ellen Plendl  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: Email

PSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION:		

**Attachments:** PSC and changing political climate ....; RE: PSC and changing political climate ....



PSC and RE: PSC and  
nging political anging political

Thank you for this information. These attachments have been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-EI.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ellen Plendl  
**Sent:** Monday, May 03, 2010 9:12 AM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** Email

Docket 100009-EI

Email received and response sent.

## Diamond Williams

---

**From:** Ellen Plendl  
**Sent:** Monday, May 03, 2010 9:10 AM  
**To:** 'Patricia M. Trbovich'  
**Subject:** RE: PSC and changing political climate ....

Ms. Patricia M. Trbovich  
rose4me@bellsouth.net

Dear Ms. Trbovich:

This is in response to your email to the Florida Public Service Commission (PSC) about Florida Power & Light Company and fuel costs.

Fuel adjustment charges allow the utility to recover the actual expenses associated with securing and processing fuel necessary to run the power plants used to generate electricity. Fuel rates mirror rising and falling fuel costs as reflected in the international marketplace. The revenue generated by the fuel adjustment charge does not add to the profit of the utility companies, but goes to pay fuel suppliers and transporters. The cost of fuel is shown as a separate cents per kilowatt-hour charge, and fuel costs are not contained in any other charge on your bill.

Each year, utilities file their projected fuel expenses for the upcoming calendar year. The PSC, along with the Office of Public Counsel and other consumer representatives closely examine the fuel costs requested by the utilities. Public hearings are held annually to set the fuel factors for the next year. Since rates are set on projected costs, at the end of the year, the costs are "trued-up" or compared to the audited actual expenses incurred by the utility. If the utility recovered more than its actual costs, the amount of over-recovery is used to reduce the next year's costs. If the utility under-recovered (costs were higher than expected) that deficit is likewise rolled into the next year. The fuel cost adjustment is recognized by virtually all state commissions, by the Federal Energy Regulatory Commission, and is also used by most municipal electric utilities and rural electric cooperatives.

In setting the fuel adjustment charge for 2011, the PSC will determine whether FPL collected more revenues during 2009 than it incurred in costs.

The next fuel cost hearings will take place during the first week in November 2010. You may follow the hearing process on our website:

<http://www.floridapsc.com/agendas/schedule/hearings.aspx>

After each hearing, the events will be archived and available for three months following the conclusion of the hearings. You may review the archived events by using the following link:

<http://www.floridapsc.com/agendas/audiovideo/archives/>

I will add your comments to the correspondence side of Docket Nos. 100009-EI regarding the fuel cost adjustment.

If you have any questions or concerns please call me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

## Diamond Williams

---

**From:** Patricia M. Trbovich [rose4me@bellsouth.net]  
**Sent:** Friday, April 30, 2010 6:14 PM  
**To:** Consumer Contact  
**Cc:** Charlie.Crist@MyFlorida.com  
**Subject:** PSC and changing political climate ....

<http://southflorida.bizjournals.com/southflorida/stories/2010/04/26/daily22.html?ana=yfcpc>

As a 30 year resident of Florida, I entreat you to maintain the same integrity to Florida residents during this difficult time. FPL and the Reuplican congress is trying to undermine your decision to keep electrical rates affordable for the average consumer.

FPL will attempt to influence the PSC by any means possible to increase shareholder value. I entreat you to keep abreast of their policies, statements, and quarterly reports over the next several months to help you make prudent decisions for Florida residents.

After your rate case decision in early 2010, FPL posted quarterly earnings of over 50%. Natural Gas prices as of today were at an all time low of \$3.93. I entreat you to keep abreast of NG prices during the remainder of 2010. Natural gas, as you well know, is the primary fuel for FPL.



**Diamond Williams**

100009

**From:** Diamond Williams  
**Sent:** Tuesday, April 06, 2010 10:46 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** RE: To CLK Docket 100009

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION:		

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

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

**From:** Ruth McHargue  
**Sent:** Tuesday, April 06, 2010 10:45 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Monday, April 05, 2010 3:08 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

Copy on file, see 935379E. DHood

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Friday, April 02, 2010 11:22 AM  
**To:** FloridaPower.FPSC@pgnmail.com  
**Cc:** Consumer Contact  
**Subject:** E-Form Other Complaint TRACKING NUMBER: 24154

Copy of complaint sent to Progress Energy Florida, Inc.

## CUSTOMER INFORMATION

Name: Leslie Smith  
Telephone: 4079330873  
Email: lesjoe1@yahoo.com  
Address: 1349 Dunbarton Ct Kissimmee 34758

## BUSINESS INFORMATION

Business Account Name: Leslie Smith  
Account Number:  
Address: 1349 Dunbarton Ct Kissimmee Florida 34758

## COMPLAINT INFORMATION

Complaint: Other Complaint against Progress Energy Florida, Inc.

Details:

I am begging you to deny any and all increases by Progress Energy. It has been said that possible fraud is going on between your commission and head CEO's who gross 9 Million a year? Now, I am a single working mother of 1 child. Currently we turn our water heater off daily to save money, sweat, use hand fans, no air conditioning etc, to bring the already crazy amount down and my house? 1000 sqft. You want to add 14 dollars, a customer, for 10 years for solar panels? How on earth does that even make sense to you? that is utter bogus and someone in that company is putting OUR money into their own kids college, their private planes and new cars. We all know this. I'm infuriated and if this is voted in? would like to know how to have whomever is in charge of your PSC, removed from their position and replaced with someone who cares about the people, because right now? This state is proven how little it cares about the people. Prove me wrong. Or by all means, make my house green so I never have to pay a power company to enjoy vacations that I have never taken, ever or my 17 year old son. Thank you. I wish to trust you will do right by us. And not by the billionaire only hoping to make more money. It's so obvious what they are doing. Please don't prove to be blind.

100009

**Diamond Williams**

---

**From:** Diamond Williams  
**Sent:** Tuesday, April 06, 2010 10:47 AM  
**To:** Ruth McHargue  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** RE: To CLK Docket 100009-Response requested

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Tuesday, April 06, 2010 10:46 AM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009-Response requested

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Monday, April 05, 2010 3:46 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009-Response requested

Copy on file, see 935440

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

**From:** Webmaster  
**Sent:** Monday, April 05, 2010 2:50 PM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]

Sent: Monday, April 05, 2010 2:25 PM

To: Webmaster

Cc: cherrywall3@aol.com

Subject: My contact

Contact from a Web user

Contact Information:

Name: Charlotte Wall

Company:

Primary Phone:

Secondary Phone:

Email: cherrywall3@aol.com

Response requested? Yes

CC Sent? Yes

Comments:

Re the article in the Ocala StarBanner on Thursday, April 1, 2010....WAS IT AN APRIL FOOL JOKE???????

The article titled "PROGREESS WANTS FEE HIKE TO MEET EFFICIENCY RULES"

Why does the PSC mandate energy reduction goals? Nancy Argenziano's comment quoted in the article..."if there aren't enough customers participating in the energy-conservation programs, the utility can come back to the PSC and ask that the goals be adjusted..." Short of doing without ELECTRICITY altogether, and living like we were in 1800, what more can the customers do??? We freeze our butts off this winter and still paid astronomical bills, we sweat all summer due to the heat even though we pay more astronomical bills for AC, we buy products that are SUPPOSED to be Energy-Efficient, we use fluorescent bulbs, etc. etc. What more can we do???????

I would like to know why my electric bills are increased every month by higher energy rates when the PSC supposedly disapproved the rate increase asked in January???? Now, another rate increase of at least \$13.75 and probably more next year??????

In my opinion, the PSC is not helping the consumers of Florida. I would like to know why the PSC mandates the energy usage in the first place?????

Will there be a public meeting on this and when? This whole Progress Energy/PSC situation is ludicrous!!!!!!!

All this about energy conservation....like installing tankless water heaters, new windows, etc etc ....solar panels, does not guarantee lower electric bills. Most people cannot afford to do all these things, to save a couple cents. There is no reason for the electric rates to be as high as they are, and no amount of BS from you or the Progress people will change that.

10 0009

**Diamond Williams**

---

**From:** Ruth McHargue  
**Sent:** Friday, April 02, 2010 3:05 PM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** 100009

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099		
DISTRIBUTION:		

Customer correspondence

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

**From:** Webmaster  
**Sent:** Friday, April 02, 2010 8:03 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Thursday, April 01, 2010 7:29 PM  
**To:** Webmaster  
**Cc:** jec118@aol.com  
**Subject:** My contact

Contact from a Web user

Contact Information:

**Name:** Joan Crosby  
**Company:**  
**Primary Phone:** 4073271221  
**Secondary Phone:** 4072521875  
**Email:** jec118@aol.com

Response requested? Yes  
CC Sent? Yes

Comments:

Please do not givr Progress Energy another rate increase. They have already increased our bill at least 2 times since the first of the year. My husband hasn't had a raise in over 2 1/2 years and my Social Security Disability check has not had a raise in a year. With the economy the way it is, how is the average person supposed to pay yet another increase? This is just nuts if you approve yet another increase!!!! The middle class is taking a beating.....extra tax for this or that.....enough is enough!!!!

100009

**Diamond Williams**

---

**From:** Ruth McHargue  
**Sent:** Friday, April 02, 2010 3:03 PM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Friday, April 02, 2010 1:35 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

Copy on file, see 935063C. DH

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

**From:** Webmaster  
**Sent:** Friday, April 02, 2010 8:02 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us) [mailto:[contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)]  
**Sent:** Thursday, April 01, 2010 5:57 PM  
**To:** Webmaster  
**Subject:** My contact

Contact from a Web user

Contact Information:  
**Name:** Ronald McCarthy  
**Company:**  
**Primary Phone:**  
**Secondary Phone:**  
**Email:** [broron@live.com](mailto:broron@live.com)

Response requested? No  
CC Sent? No

Comments:

Progress Energy was recently denied a rate increase but they do not stop trying, do they? Again, they are seeking increases that will raise bill about \$17 a month over next ten years. How dare they continue to try to get an increase approved and especially during these difficult economic times! I do expect that the PSC will again deny the increase requested by that company, Progress Energy. Shame on them for requesting and if approved, shame on the PSC.

100009

**Diamond Williams**

---

**From:** Ruth McHargue  
**Sent:** Friday, April 02, 2010 3:05 PM  
**To:** Diamond Williams  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** Docket 100009

Customer correspondence

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

**From:** Webmaster  
**Sent:** Friday, April 02, 2010 8:03 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Thursday, April 01, 2010 7:43 PM  
**To:** Webmaster  
**Subject:** My contact

Contact from a Web user

Contact Information:

**Name:** Glenn Hales  
**Company:**  
**Primary Phone:** 407-797-4992  
**Secondary Phone:**  
**Email:** gh9590@gmail.com

Response requested? Yes  
CC Sent? No

Comments:

I write in reference to the recent request for a utility rate increase from Progress Energy. I am requesting that his rate increase be denied. First, as an employee of the State of Florida, we have not had a pay increase in over four years and it appears that we will not receive any this year which means that our buying power has decreased about 20% since the last pay increase. With rising rates and prices, it is causing a detrimental economic effect on our families. Second, Progress Energy spends a sizeable amount of funds advertising on TV, radio, and print media, but why? They do not have any competitor as such and it is money being spent as self promotion. It seems that this money could be better spend on the items for which they are seeking a rate increase. Third, has Progress Energy honestly opened their books and publically displayed the overall expenditures of the company for such things as executive salaries, bonuses, promotion expenses, etc. I do not believe that they have.

Please consider the above in denying the recent rate increase request for Progress Energy.

Thank you,





100009

**Diamond Williams**

---

**From:** Diamond Williams  
**Sent:** Thursday, April 01, 2010 2:56 PM  
**To:** Ruth McHargue  
**Subject:** RE: To CLK Docket 100009

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 00099-10		
DISTRIBUTION:		

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009.

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Thursday, April 01, 2010 2:53 PM  
**To:** Diamond Williams  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Thursday, April 01, 2010 1:42 PM  
**To:** Ruth McHargue  
**Subject:**

Copy on file, see 934870C. DH

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

**From:** Webmaster  
**Sent:** Thursday, April 01, 2010 1:04 PM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]

Sent: Thursday, April 01, 2010 12:43 PM  
To: Webmaster  
Cc: FHowze@CFL.RR.com  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Fred Howze  
Company: N/A  
Primary Phone: 386-235-8092  
Secondary Phone:  
Email: FHowze@CFL.RR.com

Response requested? No  
CC Sent? Yes

Comments:

The tv news stated that Progress Energy is again requesting a rate increase. It is the 5th request in several months. I am proud that you declined their last request. They should have to wait, at least a year before requesting another increase.

I am a senior citizen on social security only. No increases for us this year. People that are employed are not getting raises either or if they do they are very small. We are in a recession, but everything is going up. I cannot go to another electric company. Please, please do what you did the last time and deny this increase.

Progress Energy is not very efficient. I have had to call their customer service twice in three years and both times they could not handle my simple request. Once, I even had to write you. Both times I eventually got the request, but look what it took to get it. If they are so stupid about two small requests, I am sure they are not very efficient in other services. We do not need another rate increase.

Fred L. Howze

100009

**Diamond Williams**

**From:** Diamond Williams  
**Sent:** Monday, March 22, 2010 4:26 PM  
**To:** Ruth McHargue  
**Subject:** RE: To CLK Docket 100009- Response requested

<b>FPEC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
<b>DOCUMENT NO.</b> 00099-10		
<b>DISTRIBUTION:</b> _____		

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket

Thank you,

Diamond Williams  
Staff Assistant  
Office of Commission Clerk  
Florida Public Service Commission  
Email: diwillia@psc.state.fl.us  
Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Monday, March 22, 2010 4:19 PM  
**To:** Diamond Williams  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: To CLK Docket 100009- Response requested

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Monday, March 22, 2010 3:14 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009- Response requested

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

**From:** Webmaster  
**Sent:** Monday, March 22, 2010 8:12 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]

Sent: Friday, March 19, 2010 5:33 PM

To: Webmaster

Cc: ca.ring@yahoo.com

Subject: My contact

Contact from a Web user

Contact Information:

Name: k garner-adams

Company: DomestiCo

Primary Phone:

Secondary Phone:

Email: ca.ring@yahoo.com

Response requested? Yes

CC Sent? Yes

Comments:

Progress Energy, FL Power, OUC (Energy Co) must not put up nuclear power plant they think they were approved of or any more in the future and take down the ones they have. Just like the Light Rail destruction of mother earth deal.

They must cut tree limbs from around their wires.

They must not let anyone play with their deposits on their accounts, and their bill paying system and credit.

Cathi Lindsley

100009-E1

**From:** Cathi Lindsley  
**Sent:** Wednesday, March 03, 2010 3:38 PM  
**To:** Ruth McHargue  
**Subject:** RE: To CLK Docket 100009

FPSC, CLK - CORRESPONDENCE  
 \_\_\_Administrative\_\_\_ Parties ✓ Consumer  
 DOCUMENT NO. 00099-10  
 DISTRIBUTION: \_\_\_\_\_

Thank you for this information. This attachment has been printed and will be placed in **Docket Correspondence - Consumers and their Representatives**, in Docket 100009-E1.

**From:** Ruth McHargue  
**Sent:** Wednesday, March 03, 2010 2:20 PM  
**To:** Cathi Lindsley  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

**From:** Consumer Contact  
**Sent:** Tuesday, March 02, 2010 4:34 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

**From:** steve & joy wise [mailto:sjwiseguys@comcast.net]  
**Sent:** Tuesday, March 02, 2010 4:01 PM  
**To:** Consumer Contact  
**Subject:**

*I have never heard of a business making it's customers pay for capital improvements to that business. If you want to build a nuclear or non-nuclear power plant....pay for it yourselves with the huge profits you keep reaping every year. And you have the nerve to ask for a rate hike.....shame on you!!!!!!*

3/3/2010

**Cathi Lindsley**

100009-E1

**From:** Cathi Lindsley  
**Sent:** Thursday, February 11, 2010 8:23 AM  
**To:** Ruth McHargue  
**Subject:** RE: To CLK Docket 100009

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009.

Thanks,  
Cathi

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 00099-10  
DISTRIBUTION: \_\_\_\_\_

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

**From:** Ruth McHargue  
**Sent:** Wednesday, February 10, 2010 10:23 AM  
**To:** Cathi Lindsley  
**Subject:** FW: To CLK Docket 100009

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Wednesday, February 03, 2010 3:37 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 100009

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

**From:** Webmaster  
**Sent:** Monday, February 01, 2010 5:23 PM  
**To:** Consumer Contact  
**Subject:** FW: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Monday, February 01, 2010 5:21 PM  
**To:** Webmaster  
**Subject:** My contact

Contact from a Web user

Contact Information:  
Name: Bogdan Asztalos  
Company:

Primary Phone: 727-526-7028

Secondary Phone:

Email: bogifilms@juno.com

Response requested? No

CC Sent? No

Comments:

I'm against Progress Energy's plans to build more nuclear plants in florida and having the citizens of Florida pay for it up-front.

Also I want "telecommunications service fee" taken off of my phone bill.

I've never requested it. I never use it, I don't want it!

Thank you, B. A.

**Katie Ely**

100009-EI

**From:** Katie Ely  
**Sent:** Monday, January 25, 2010 4:09 PM  
**To:** Ruth McHargue  
**Subject:** FW: To CLK Docket 090009  
**Attachments:** NO NUCLEAR POWER PLANT!; 3525276715 , FAX 1 page(s)

Thank you for this information. These attachments have been printed and will be placed in **Docket Correspondence - Consumers and their Representatives**, in Docket 100009-EI, as this is the roll-over docket number for Nuclear Cost Recovery this year.

Katie Ely  
Staff Assistant - Office of Commission Clerk  
Florida Public Service Commission  
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

---

**From:** Ruth McHargue  
**Sent:** Monday, January 25, 2010 1:40 PM  
**To:** Katie Ely  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: To CLK Docket 090009

Customer correspondence

**FPSC, CLK - CORRESPONDENCE**  
**Administrative Parties/Consent**  
**DOCUMENT NO. 00099-10**  
**DISTRIBUTION: \_\_\_\_\_**

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**From:** Diane Hood  
**Sent:** Friday, January 22, 2010 4:32 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 090009

these are from the same customer, combined in 919551C. DH



**Katie Ely**

---

**From:** thomas a jung [tnjjung@trnii.com]  
**Sent:** Friday, January 22, 2010 10:54 AM  
**To:** Consumer Contact  
**Subject:** NO NUCLEAR POWER PLANT!

I think it's totally unnecessary to build a nuclear power plant & be charging it's consumers money ahead of time to build this plant. Why doesn't the State of Florida think about building electric generating windmills as clean energy? A LOT of states have these, including IL, MI, & CA that I know of.

As an aside, this "so-called" limiting of rates from 2009 resulted in a HEFTY increase in my electric bill. Thank you for limiting the increase in 2010. They don't need it!

Thank you.

Thomas A. Jung

**Katie Ely**

---

**From:** FaxAdmins  
**Sent:** Friday, January 22, 2010 10:57 AM  
**To:** Consumer Contact  
**Subject:** 3525276715 , FAX 1 page(s)

**Attachments:** FAX.TIF



FAX.TIF (9 KB)

You have received a new fax. This fax was received by Fax Server. The fax is attached to the message. Open the attachment to view your fax.

Received Fax Details

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Received On: 1/22/2010 10:56:06 AM  
Number of Pages: 1  
From (CSID): 3525276715  
From (ANI):  
Sent to DID: 8504136362

Duration of Fax: 0:00:24  
Transfer Speed: 14400

Received Status: Success  
Number of Errors: 0  
Port Received On: IPF\_PORT\_0012

---

**thomas a jung**

---

**From:** "thomas a jung" <tnjung@tmii.com>  
**To:** <contact@PSC.State.FI.US>  
**Sent:** Friday, January 22, 2010 10:53 AM  
**Subject:** NO NUCLEAR POWER PLANT!

I think it's totally unnecessary to build a nuclear power plant & be charging it's consumers money ahead of time to build this plant. Why doesn't the State of Florida think about building electric generating windmills as clean energy? A LOT of states have these, including IL, MI, & CA that I know of.

As an aside, this "so-called" limiting of rates from 2009 resulted in a HEFTY increase in my electric bill. Thank you for limiting the increase in 2010. They don't need it!

Thank you.

Thomas A. Jung

1/22/2010

**Ann Cole**

100009-E1

**From:** Ann Cole  
**Sent:** Monday, January 25, 2010 8:43 AM  
**To:** Steve Larson  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** FW: LETTER FROM SENATOR FASANO TO PSC CHAIRWOMAN NANCY ARGENZIANO  
**Attachments:** Utility reaction to rate hike rejection.pdf; argenziano24a.ltr.doc

Thank you for this information. The two attachments have been printed and will be placed in *Correspondence - Consumers and their Representatives*, in Docket Nos. 100009-EI, 090079-EI, and 090144-EI.

**From:** Steve Larson  
**Sent:** Friday, January 22, 2010 4:52 PM  
**To:** Ann Cole  
**Subject:** FW: LETTER FROM SENATOR FASANO TO PSC CHAIRWOMAN NANCY ARGENZIANO

The Office of Commissioner Argenziano received the attached correspondence from Senator Fasano. Please place the letter (and attachment) in docket numbers 100009-EI, 090079-EI, and 090144-EI. Thank you.

**From:** GIORDANO.GREGORY.S11 [mailto:GIORDANO.GREGORY.S11@flsenate.gov]  
**Sent:** Wednesday, January 20, 2010 5:10 PM  
**To:** Steve Larson  
**Subject:** LETTER FROM SENATOR FASANO TO PSC CHAIRWOMAN NANCY ARGENZIANO

Steve,

Attached is a letter and news article that is being mailed to Chairwoman Argenziano (and copied to the other commissioners). I just wanted to give you a heads-up.

Take care,

Greg

Greg Giordano  
 Chief Legislative Assistant to State Senator Mike Fasano  
 8217 Massachusetts Avenue 404 Senate Office Building  
 New Port Richey, FL 34653 Tallahassee, FL 32399  
 (727) 848-5885 (850) 487-5062

**FPSC, CLK - CORRESPONDENCE**  
Administrative ~~Parties~~ Consumer  
**DOCUMENT NO.** 00099.10  
**DISTRIBUTION:** \_\_\_\_\_



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Transportation and Economic Development  
Appropriations, *Chair*  
Banking and Insurance  
Communications, Energy, and Public Utilities  
Ethics and Elections  
Governmental Operations - Policy and Steering  
Governmental Oversight and Accountability  
Judiciary  
Transportation  
Ways and Means - Policy and Steering

### JOINT COMMITTEE:

Legislative Budget Commission

### SENATOR MIKE FASANO

*President Pro Tempore*  
11th District

January 20, 2010

The Honorable Nancy Argenziano  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Dear Chairwoman Argenziano:

As you know I have long been an opponent of Progress Energy's applications for rate increases and was most pleased when this Commission chose to deny the utility's proposed rate hikes. Because of the Commission's actions *The Tampa Tribune* reported in the January 20, 2010 edition that Progress Energy has decided to stop spending dollars on its nuclear power plants (see attached). I am most pleased that this is one of the outcomes of the Commission's consumer- friendly decision.

Since Progress Energy was allowed to raise rates last year and previously for advance nuclear cost recovery, it only seems fair that the customers who paid those rates should be given a refund for a project that is no longer in the works. Speaking on behalf of my constituents who receive their electricity from Progress Energy I am respectfully requesting that the Commission look into taking action to force Progress Energy to not only refund rates that have been paid, but to lower their base rates which may include any dollars previously allowed for nuclear cost recovery.

Thank you in advance for your consideration of this request. If you would like to discuss this further please do not hesitate to contact me.

Your truly,

Mike Fasano  
State Senator, District 11

MF/gg

Attachment

Cc: The Honorable Nathan Skop  
The Honorable David Klement  
The Honorable Ben Stevens  
The Honorable Lisa Edgar

#### REPLY TO:

- ☐ 8217 Massachusetts Avenue, New Port Richey, Florida 34653-3111 (727) 848-5885
- ☐ 404 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5062

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**JEFF ATWATER**  
President of the Senate

**MIKE FASANO**  
President Pro Tempore

# Airport to improve pickup areas

Project includes ramps and signs in loading zones.

By **TED JACKOVICS**  
tjackovics@tampatrib.com

TAMPA » Tampa International Airport is planning to modernize its

curbside roadways and other curbside areas on the ticketing and baggage levels in an \$11.6 million project expected to be completed by May 2012.

The project will improve the approach ramps leading to the curbside passenger load-

ing and unloading areas, along with improving curbside walkways, equipment and furnishings.

New signage will better direct traffic to airlines' curbside baggage locations.

The Hillsborough County Aviation Authority has approved Alfonso Architects Inc. of Tampa for the design services portion of the project.

Reporter Ted Jackovics can be reached at (813) 259-7817.

## BIZ BITS

### Crist extends access to aid for farmers

Gov. Charlie Crist extended for seven days the state of emergency that allows Florida farmers to access disaster relief after a lengthy freeze that extended through last week.

The state estimated that 30 percent of farmers' crops were lost.

and The Florida Times-Union in Jacksonville announced last week that it would file a prepackaged plan, approved by a majority of its creditors, in federal bankruptcy court by Tuesday.

### Japan Airlines to restructure

Japan Airlines Corp. filed Tuesday for court-led rehabilitation, the Japanese equivalent of Chapter 11, that will allow the carrier to operate as it undergoes restructuring.

Delta Air Lines and American Airlines are offering financial support to JAL in exchange for revenue sharing and greater coordination on routes and ticket prices.

JAL's debt totaled \$25.6 billion in September, making it Japan's largest postwar, non-financial bankruptcy.

### Utility reacts to rate hike rejection

Progress Energy Inc. said it would scrap spending on nuclear power plants and other capital improvements after Florida regulators rejected the company's request last week for \$368 million in rate increases this year.

Separately, Raleigh, N.C.-based Progress Energy warned in a statement that it cut its 2009 earnings forecast and said it expects profit this year to be \$2.85 to \$3.05 a share, below analysts' estimates.

### Jacksonville paper's

### Bernanke asks for investigation

# Cadbury likely to take sweeter Kraft Foods bid

British alarmed at losing iconic brand.

The Associated Press

LONDON » After months of fierce resistance, Cadbury's about-face to accept a sweetened \$19.5 billion takeover from Kraft Foods — forming the world's biggest

cent higher than Cadbury's market value before Kraft, based in Northfield, Ill., went public with its approach in September.

The combination of the pair would create the world's biggest confectionary company, replacing Mars Inc., and Kraft



**Katie Ely**

100009-E1

**From:** Katie Ely  
**Sent:** Friday, January 15, 2010 4:30 PM  
**To:** Ruth McHargue  
**Subject:** FW: To CLK Docket 090009- Response requested

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-E1

Katie Ely  
Staff Assistant - Office of Commission Clerk Florida Public Service Commission  
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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

**From:** Ruth McHargue  
**Sent:** Friday, January 15, 2010 4:29 PM  
**To:** Katie Ely  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: To CLK Docket 090009- Response requested

FPSC, CLK - CORRESPONDENCE  
Administrative Parties X Consumer  
DOCUMENT NO. 00099-10  
DISTRIBUTION: \_\_\_\_\_

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Friday, January 15, 2010 3:38 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 090009- Response requested

Copy on file, see 918042C. DH

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

**From:** Webmaster  
**Sent:** Friday, January 15, 2010 11:34 AM  
**To:** Consumer Contact  
**Subject:** RE: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Friday, January 15, 2010 11:25 AM

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To: Webmaster  
Cc: jbaldwin42@comcast.net  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Jerry Baldwin  
Company: N/A  
Primary Phone:  
Secondary Phone:  
Email: jbaldwin42@comcast.net

Response requested? Yes

CC Sent? Yes

Comments:

Cute,  
I just received my Progress Energy bill.  
They cut the fuel charged fees by one cent and increased the energy charge by one cent. I thought you people did not allow any increases. Stop the nonsense with the lobbyist. These lobbyist are worst than thieves that steal in the dark. Use our own natural gas to power these plants and do not let a power company charge me for something that is not built. This is their expense not mine.



**Katie Ely**

100009.E1

**From:** Katie Ely  
**Sent:** Thursday, January 14, 2010 12:00 PM  
**To:** Ruth McHargue  
**Subject:** FW: To CLK Docket 090009 -Response requested

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 100009-EI.

Katie Ely  
Staff Assistant - Office of Commission Clerk Florida Public Service Commission  
850-413-6304

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

**From:** Ruth McHargue  
**Sent:** Thursday, January 14, 2010 10:04 AM  
**To:** Katie Ely  
**Cc:** Ann Cole; Dorothy Menasco  
**Subject:** FW: To CLK Docket 090009 -Response requested

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 00099.10  
DISTRIBUTION: \_\_\_\_\_

Customer correspondence

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

**From:** Consumer Contact  
**Sent:** Wednesday, January 13, 2010 3:41 PM  
**To:** Ruth McHargue  
**Subject:** To CLK Docket 090009 -Response requested

Copy on file, see 917432C. DH

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

**From:** Webmaster  
**Sent:** Tuesday, January 12, 2010 1:41 PM  
**To:** Consumer Contact  
**Subject:** FW: My contact

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

**From:** contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
**Sent:** Tuesday, January 12, 2010 12:37 PM

To: Webmaster  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Eric Swalley

Company: Davie's Green Energy and Environmental Committee Primary Phone: 3059873101 Secondary Phone: 9543211936

Email: [eswalley@gmail.com](mailto:eswalley@gmail.com)

Response requested? Yes

CC Sent? No

Comments:

FPL needs to put more effort into developing renewables that are clean and sustainable, rather than more nuclear that is more hazardous and finite. We need to show leadership in stopping nuclear proliferation and make energy choices that are best for our health and environment. We need the benefits of energy efficiency and reliability that come from distributed power generation instead of today's central power generation. We of the sunshine state would like to be known for using the sunshine, alongside wind and wave to charge batteries and turn seawater into hydrogen energy. Please vote for a safe and healthy future.

**Katie Ely**

100009-EI

**From:** Katie Ely  
**Sent:** Wednesday, January 06, 2010 8:30 AM  
**To:** 'mindfulon1'  
**Subject:** RE: FPL

Correction: I will be placing your e-mail in consumer correspondence in Docket No. 100009-EI. I am sorry for any inconvenience this may have caused.

Thank you.

Katie Ely  
Staff Assistant - Office of Commission Clerk  
Florida Public Service Commission  
850-413-6304

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 00099.10  
DISTRIBUTION: \_\_\_\_\_

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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**From:** Katie Ely **On Behalf Of** Records Clerk  
**Sent:** Wednesday, January 06, 2010 8:18 AM  
**To:** 'mindfulon1'  
**Subject:** RE: FPL

Connie Langmann,

We are in receipt of the attached document. Please note that the below stated comments are not considered a public request for information.

A copy of this e-mail will be placed in consumer correspondence of Docket No. 090009-EI.

If you would like to make further comments to the Public Service Commission please e-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us) or call 1-800-342-3552.

Katie Ely  
Staff Assistant - Office of Commission Clerk  
Florida Public Service Commission  
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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**From:** mindfulon1 [mailto:mindfulon1@aol.com]

**Sent:** Tuesday, January 05, 2010 6:00 PM

**To:** Charlie.Crist@myflorida.com; Records Clerk; Office of Commissioner Argenziano; Office Of Commissioner Edgar; Office of Commissioner Skop; Office of Commissioner Klement; Office of Commissioner Stevens

**Subject:** FPL

I want clean, sustainable renewable energy. No more handouts for producing dirty power, like nuclear or coal.

Connie Langmann  
340 Kingston Drive West  
Fort Myers, FL 33905

CONSUMER

100009-EI

Katie Ely

**From:** Katie Ely  
**Sent:** Wednesday, January 06, 2010 8:28 AM  
**To:** 'Ellen Peterson'  
**Subject:** RE: Important Energy message

Correction: I will be placing this e-mail in consumer correspondence for Docket Nos 080677-EI, 100001-EI and 100009-EI. I am sorry for any inconvenience this may have caused.

Thank you,

Katie Ely  
 Staff Assistant - Office of Commission Clerk  
 Florida Public Service Commission  
 850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

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**From:** Katie Ely **On Behalf Of** Records Clerk  
**Sent:** Wednesday, January 06, 2010 8:21 AM  
**To:** 'Ellen Peterson'  
**Subject:** RE: Important Energy message

Ellen Peterson,

We are in receipt of the attached document. Please note that the below stated comments are not considered a public request for information.

A copy of this e-mail will be placed in the consumer correspondence of Dockets Nos. 080677-EI, 090001-EI and 090009-EI.

If you would like to make additional comments to the Public Service Commission please e-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us) or call 1-800-342-3552.

Katie Ely  
 Staff Assistant - Office of Commission Clerk  
 Florida Public Service Commission  
 850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

DOCUMENT NUMBER-DATE

00099 JAN -6 2

FPSC-COMMISSION CLERK

1/6/2010

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**From:** Ellen Peterson [mailto:ecrone1@gmail.com]  
**Sent:** Tuesday, January 05, 2010 7:57 PM  
**To:** Charlie.Crist@myflorida.com; Records Clerk; Office of Commissioner Argenziano; Office Of Commissioner Edgar; Office of Commissioner Skop; Office of Commissioner Klement; Office of Commissioner Stevens  
**Subject:** Important Energy message

Energy information

Here is the deal..... according to FPL's own bean counter testimony at the last hearing - they cannot get the credit rating they need on Wall St. to buy new nukes if they dont get the base rate increase. Oh boo hoo, they got the PSC to approve spending "\$12-\$18 Billion" ratepayer dollars on two new nukes in Homestead and were granted the first year of cost recovery (aka pre-pay from customers) to the tune of half a billion dollars; but that isn't enough! They need all the happy customers to endure a year of "testing" out higher rates as well. Then the PSC will decide if they deserved it.

FPL customers need to know that insert in your bill about a refund this month was not from the goodness of their hearts, but mandated by the PSC for previously overcharging for fuel. Surprised? Didn't think so.

Meanwhile, the PSC just received a juicy letter, supposedly from three FPL execs, exposing a scheme to bilk the customers out of \$1 Billion. (a billion here, a billion there, and pretty soon we're talkin' real money).

And the icing on the cake is all the mechanical problem dish leaking out of Turkey Point employees that NRC hasn't bothered to share with the public on a regular basis.

We want clean, sustainable renewables for the money. No more handouts to criminals to produce dirty power.

Thanks for reading this and taking note of the fact that we know and expect that you will do the right thing for those you represent...  
US your state citizens

Ellen Peterson Estero, Fl.