

Marguerite McLean

110018-EU

From: Marsha Rule [Marsha@reuphlaw.com]
Sent: Wednesday, May 25, 2011 1:29 PM
To: Filings@psc.state.fl.us
Cc: Adam Teitzman; Larry Harris; will.p.cox@fpl.com; bryan.anderson@fpl.com; danlarsen@bellsouth.net; Charles Murphy; richzambo@aol.com
Subject: Docket No. Docket 110018-EU
Attachments: Letter.PSC.05 25 2011.pdf

The full name, address, telephone number, and e-mail address of the person responsible for the electronic filing:

MARSHA E. RULE
 Rutledge, Ecenia & Purnell, P. A.
 Post Office Box 551
 Tallahassee, Florida 32302-0551
 (850) 681-6788
marsha@reuphlaw.com

The docket number and title of docket:

Docket No. 110018-EU
 In re: Joint petition for modification to determination of need for expansion of an existing renewable energy electrical power plant in Palm Beach County by Solid Waste Authority of Palm Beach County and Florida Power & Light Company, and for approval of associated regulatory accounting and purchased power agreement cost recovery.

The name of the party on whose behalf the document is filed:

Solid Waste Authority of Palm Beach County

The total number of pages in the attached document: 2

A brief but complete description of each attached document:

Letter dated May 25, 2011

Marsha E. Rule, Attorney
 Rutledge, Ecenia & Purnell, P.A.
 119 South Monroe Street, Suite 202
 Tallahassee, Florida 32301
 P.O. Box 551
 Tallahassee, Florida 32301-0551
marsha@reuphlaw.com
 850.681.6788. Phone
 850.681.6515 Fax

5/25/2011

DOCUMENT NUMBER-DATE
 03668 MAY 25 =
 FPSC-COMMISSION CLERK

RUTLEDGE, ECENIA & PURNELL

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

MICHAEL J. BARRY
STEPHEN A. ECENIA
RICHARD M. ELLIS
DIANA FERGUSON
MARTIN P. McDONNELL
J. STEPHEN MENTON
R. DAVID PRESCOTT

POST OFFICE BOX 551, 32302-0551
119 SOUTH MONROE STREET, SUITE 202
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788
TELECOPIER (850) 681-6515

HAROLD F. X. PURNELL
MARSHA E. RULE
GARY R. RUTLEDGE
MAGGIE M. SCHULTZ
GABRIEL F.V. WARREN

GOVERNMENTAL CONSULTANTS
MARGARET A. MENDUNI

May 25, 2011

Ms. Ann Cole
Division of the Commission Clerk
And Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 110018-EU
Joint Petition for Modification to Determination of Need

Dear Ms. Cole:

The Solid Waste Authority of Palm Beach County ("SWA") concurs with Florida Power & Light Company's ("FPL") letter dated May 24, 2011. FPL's laudable effort to maintain transparency regarding its ongoing planning process should not hinder the Commission's prompt resolution of the petition based on the record evidence in this proceeding. The existing record fully supports granting the Joint Petition.

As noted during the recent hearing on this matter, SWA has entered into a design/build contract for and issued a notice to proceed with the Expanded Facility. SWA's receipt of a timely determination of need is a critical component of permitting for the Expanded Facility. Delay in issuance of the determination of need will not only adversely affect SWA's ability to dispose of municipal solid waste, but could significantly increase the ultimate cost of the Expanded Facility.

The record in this proceeding clearly supports granting the Joint Petition under a range of different planning scenarios, including that discussed in FPL's letter. Accordingly, SWA respectfully urges the Commission to continue its review and consideration of the Joint Petition based on the record evidence and under the existing schedule.

DOCUMENT NUMBER-DATE

03668 MAY 25 =

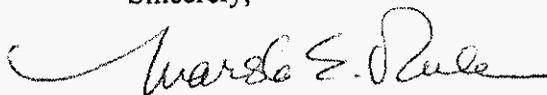
FPSC-COMMISSION CLERK

RUTLEDGE, ECENIA & PURNELL

May 25, 2011
Page 2

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marsha E. Rule".

Richard A. Zambo
Marsha E. Rule

Cc: Mark Hammond
Marc Bruner
Charles Murphy, Esq.
Larry Harris, Esq.
Adam Teitzman, Esq.
William P. Cox, Esq.
Mr. and Mrs. Daniel Larson