

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Nuclear Cost                    )  
Recovery Clause                        )

Docket No. 150009-EI  
Filed: January 28, 2015

**FLORIDA POWER & LIGHT COMPANY'S RESPONSE TO  
THE CITY OF MIAMI'S PETITION TO INTERVENE**

Florida Power & Light Company ("FPL") respectfully responds to the Petition to Intervene filed by the City of Miami ("the City") and states as follows:

1. On January 21, 2015, the City filed a Petition to Intervene in this docket. FPL does not oppose the City's intervention. However, to the extent the City is permitted to participate as an intervenor, such participation should be limited to those issues which are properly within the scope of this annual cost recovery proceeding. The specific issues for consideration by the Florida Public Service Commission (the "Commission") will be determined prior to the start of the hearing. The issues for consideration are those within the scope of the Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery Rule, Rule 25-6.0423, Florida Administrative Code (the "Rule"), and Section 366.93, Florida Statutes.

2. Additionally, certain statements made by the City in its Petition to Intervene could be read as indicating an intent to represent the interests of the residents of the City in addition to the City's own interests as an FPL customer (*see* the City's Petition for Leave to Intervene at p. 1, ¶ 4). The City has not demonstrated any Florida constitutional, statutory, or other legal authority to represent the interests of its residents in this proceeding.<sup>1</sup> Accordingly, the City's participation should be limited to representation of its own interests as a customer of FPL.

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<sup>1</sup> FPL notes that it is "the duty of the Public Counsel to provide legal representation for the people of the state in proceedings before the commission" (§350.0611, Fla. Stat. (2014)) and that the Office of Public Counsel is a party to this proceeding.

WHEREFORE, for all of the foregoing reasons, FPL respectfully requests that any intervention by the City be limited to those issues which are within the scope of the Rule and Section 366.93, Florida Statutes, and that such intervention be limited to the City's participation on its own behalf, not as a representative of other FPL customers such as the residents of the City.

Respectfully submitted this 28<sup>th</sup> day of January, 2015.

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**CERTIFICATE OF SERVICE  
DOCKET NO. 150009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Response to the City of Miami's Petition to Intervene was served electronically this 28th day of January, 2015, to the following:

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