

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: FLORIDA POWER & LIGHT COMPANY  
FLORIDA ENERGYSECURE LINE PROJECT  
NATURAL GAS PIPELINE SITING  
APPLICATION NO. NG09-02

DOAH CASE NO: 09-4151  
DEP OGC CASE NO: 09-3259

2011

**FLORIDA POWER & LIGHT COMPANY'S**  
**SECOND STATUS REPORT**

Florida Power & Light Company (FPL), in accordance with its Status Report dated August 6, 2010, hereby files this Second Status Report and states as follows:

(1) On February 1, 2010, the Administrative Law Judge ("ALJ") issued an "Order Altering Time Limits, Canceling Hearing, and Placing Case in Abeyance." In that Order, the ALJ ordered the Department of Environmental Protection ("DEP") to inform the ALJ in writing no later than February 4, 2011 of the status of this case and, if appropriate, to propose a new schedule of time limits for the certification hearing.

(2) On August 6, 2010, FPL filed a Status Report with the ALJ and DEP. In that Status Report, FPL outlined that, pursuant to the Florida Public Service Commission's ("PSC") Order No. 09-0715 FOF-EI, FPL was directed "to renew its request for proposals to fulfill its gas transportation capacity needs, and provide a copy of the request for our staff's review prior to its issuance." (Page 7, PSC Order No. 09-0715-FOF-EI) Specifically, the PSC Order required that FPL's new Request For Proposal ("RFP") contain a detailed request for proposals for a new pipeline and specifications of the long term natural gas needs of FPL. *Id.* In FPL's August Status Report to the ALJ, FPL explained that, since the time of the PSC Order, FPL had been evaluating load growth, economic impacts, population growth, and other factors that relate to FPL's

*Copy to: PWD  
Per Director's Dir.  
R. Meyer  
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natural gas transportation requirements and its development of an RFP to meet those requirements. In August 2010, FPL stated that it was not yet able to establish a timeframe for the RFP process.

(3) Since August 2010, FPL has continued to examine those factors. Based on the results of its analysis, FPL has reached certain conclusions regarding natural gas transportation requirements in Florida and, at this time, FPL is able to offer a schedule to meet those requirements. Specifically, FPL concludes that the State of Florida will require additional natural gas capacity by January 2016. This additional natural gas capacity will be necessary to serve FPL's current infrastructure as well as its modernizations at FPL's Cape Canaveral and Riviera Beach Power Plants. If new natural gas is not introduced into the system by 2016, FPL concludes that there would be an impact to our operations.

(4) Based on the conclusion that additional natural gas capacity will be necessary by January 2016, FPL has developed a schedule to meet those needs and to comply with PSC Order No. 09-0715-FOF0EI. Specifically, FPL intends to draft a Request for Proposal for the new natural gas infrastructure transport and complete a staff review of the RFP by the PSC Staff by May 2011. FPL intends to issue the RFP and receive proposals by September 2011. Finally, FPL intends to evaluate the responses to the RFP and select a qualified transporter by December 2011.

(5) Based on this timeframe, if a proposed FPL pipeline project similar to the Florida EnergySecure Line were the gas transport option selected through the RFP, FPL would then be in a position to file a petition for a Need Determination with the PSC starting in January 2012. Further, and more relevant to this process, FPL would also be

in a position to reinitiate the Natural Gas Pipeline Site Application (“NGPSA”) process which is currently being held in abeyance.

(6) As has been outlined to DEP and other parties in the past, FPL has spent significant resources on the application and licensing effort for the Florida EnergySecure Line. Through the licensing process to date, FPL has worked closely with the counties, and cities, along with the State and regional agencies that are parties to the proceeding. During that time period, FPL had discussions with those entities regarding the minimal impacts to the environment from the pipeline as well as the benefits from the pipeline in the form of an increased tax base and jobs during the construction of the pipeline. FPL believes that the project was generally well-received by the reviewing agencies and that such a pipeline would once again be welcomed by the local governments for its immediate job creation and long term tax revenues, in addition to the improvement to the physical reliability and security of the State’s natural gas transport system resulting from the addition of a third pipeline into Florida.

(7) As discussed above, the ALJ’s Order, dated February 1, 2010, requires that DEP inform the ALJ in writing of the status of the case no later than February 4, 2011. Again, FPL believes, based on the projected need for additional natural gas into the State by 2016, that the pending NGPSA application continues to hold significant value and, given the possibility that FPL may seek approval from the PSC, and the Siting Board, for the construction and operation of a natural gas pipeline substantially similar to all or part of the Florida EnergySecure Line, FPL would like to preserve the opportunity to take advantage of that value. In order to ensure that adequate progress is made in that regard, FPL proposes to submit status reports to DEP at the relevant points in the coming year.

Specifically, FPL will provide a status report to DEP in May 2011 after FPL completes PSC staff review of the RFP. FPL will submit a second status report to DEP in September 2011 after FPL has received proposals in response to the RFP, and FPL will submit a third status report to DEP in January 2012 after FPL selects a qualified transporter. The updates will demonstrate progress in the case and it should allow DEP and the ALJ to evaluate FPL's progress. Further, if at any point it becomes apparent that a pipeline substantially similar to all or part of the Florida EnergySecure Line is no longer a viable option, FPL will withdraw its NGPSA application.

I hereby certify that a true and correct copy of the foregoing has been furnished via ELECTRONIC MAIL ONLY to the persons on the attached service list this 1 day of February, 2011.

Respectfully submitted,



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