



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 17 2005

Mr. Adalberto Alfonso
Vice President - Operations
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408

RE: CPF No. 2-2005-6001

Dear Mr. Alfonso:

Enclosed is the Order Directing Amendment issued by the Associate Administrator for Pipeline Safety in the above-referenced case. The Order finds that you have addressed the inadequacies in your procedures that were cited in the Notice of Amendment. This enforcement action is now closed. Your receipt of the Order Directing Amendment constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

James Reynolds
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

cc: Ms. Linda Daugherty, Director, Southern Region, OPS

CERTIFIED MAIL RETURN RECEIPT REQUESTED

**DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590**

In the Matter of)
)
Florida Power & Light Company,)
)
Respondent.)

CPF No. No. 2-2005-6001

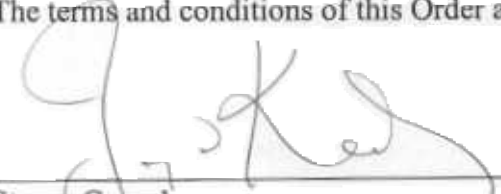
ORDER DIRECTING AMENDMENT

On June 22-25, 2004, pursuant to 49 U.S.C. § 60117, a representative of the Office of Pipeline Safety (OPS) Southern Region, conducted an on-site pipeline safety inspection of Respondent's Florida facilities and records at Port Manatee and West Palm Beach, FL. As a result of the inspection, the Director, Southern Region, OPS, issued to Respondent, by letter dated January 6, 2005, a Notice of Amendment (NOA)¹. In accordance with 49 C.F.R. § 190.237, the NOA alleged inadequacies in Respondent's operations, maintenance, and emergencies procedures and proposed that Respondent amend its procedures.

Respondent responded to the NOA by letter dated, January 27, 2005 (Response). Respondent did not contest the NOA and did not request a hearing, consequently Respondent waived its right to one. I find that Respondent's procedures as described in the NOA were inadequate to ensure safe operation of its pipeline system.

However, Respondent submitted amended Operations, Maintenance and Emergencies procedures to address the inadequacies cited in the NOA. The Southern Region reviewed the revised procedures. Accordingly, based on the results of this review, I find that Respondent has corrected the identified inadequacies. Respondent need not take any further action with respect to the matters in this case.

The terms and conditions of this Order are effective upon receipt.



Stacey Getard
Associate Administrator
for Pipeline Safety

MAY 17 2005

Date Issued

¹This case, however, is no longer before RSPA for decision. Effective February 20, 2005, the Pipeline and Hazardous Materials Safety Administration (PHMSA) was created to further the highest degree of safety in pipeline transportation and hazardous materials transportation. See, section 108 of the Norman Y. Mineta Research and Special Programs Improvement Act (Public Law 108-426, 118 Stat. 2423-2429 (November 30, 2004)). See also, 70 Fed. Reg. 8299 (February 18, 2005) re delegating the pipeline safety functions to the Administrator, PHMSA.