

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to establish) DOCKET NO. 950359-EI
amortization schedule for) ORDER NO. PSC-96-0307-PHO-EI
nuclear generating units to) ISSUED: February 29, 1996
address potential for stranded)
investment by Florida Power &)
Light Company.)
_____)

Pursuant to Notice, a Prehearing Conference was held on Thursday, February 22, 1996, in Tallahassee, Florida, before Chairman Susan F. Clark, as Prehearing Officer.

APPEARANCES:

MATTHEW M. CHILDS, Esquire, Steel Hector & Davis, 215
South Monroe Street, Suite 601, Tallahassee, Florida
32301-1804
On behalf of Florida Power & Light Company.

VICKI D. JOHNSON, Esquire, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee,
Florida 32399-0850
On behalf of the Commission Staff.

PREHEARING ORDER

I. CASE BACKGROUND

On March 31, 1995, Florida Power & Light Company (FPL) filed a Petition to Establish an Amortization Schedule for its nuclear generating units. This matter is currently set for an administrative hearing for Wednesday, March 13 through Friday, March 15, 1996.

On February 22, 1996, Florida Steel Corporation filed a Notice of Withdrawal from this docket. At the Prehearing Conference, FPL agreed to Staff's proposal to resolve all issues. Accordingly, the case will be presented to the Commission at the hearing as a stipulation.

DOCUMENT NUMBER-DATE

02487 FEB 29 96

FPSC-RECORDS/REPORTING

II. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

A. Any information provided pursuant to a discovery request for which proprietary confidential business information status is requested shall be treated by the Commission and the parties as confidential. The information shall be exempt from Section 119.07(1), Florida Statutes, pending a formal ruling on such request by the Commission, or upon the return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been used in the proceeding, it shall be returned expeditiously to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of the proceeding, it shall be returned to the person providing the information within the time periods set forth in Section 366.093(2), Florida Statutes.

B. It is the policy of the Florida Public Service Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, Florida Statutes, to protect proprietary confidential business information from disclosure outside the proceeding.

In the event it becomes necessary to use confidential information during the hearing, the following procedures will be observed:

- 1) Any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, Florida Statutes, shall notify the Prehearing Officer and all parties of record by the time of the Prehearing Conference, or if not known at that time, no later than seven (7) days prior to the beginning of the hearing. The notice shall include a procedure to assure that the confidential nature of the information is preserved as required by statute.
- 2) Failure of any party to comply with 1) above shall be grounds to deny the party the opportunity to present evidence which is proprietary confidential business information.
- 3) When confidential information is used in the hearing, parties must have copies for the Commissioners, necessary staff, and the Court Reporter, in envelopes clearly marked with the

nature of the contents. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.

- 4) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise the confidential information. Therefore, confidential information should be presented by written exhibit when reasonably possible to do so.
- 5) At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the Court Reporter shall be retained in the Commission Clerk's confidential files.

Post-hearing procedures

Rule 25-22.056(3), Florida Administrative Code, requires each party to file a post-hearing statement of issues and positions. A summary of each position of no more than 50 words, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of the prehearing order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. The rule also provides that if a party fails to file a post-hearing statement in conformance with the rule, that party shall have waived all issues and may be dismissed from the proceeding.

A party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 60 pages, and shall be filed at the same time. The prehearing officer may modify the page limit for good cause shown. Please see Rule 25-22.056, Florida Administrative Code, for other requirements pertaining to post-hearing filings.

III. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties and Staff has been prefiled. All testimony which has been prefiled in this case will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to appropriate objections. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. After all parties and Staff have had the opportunity to object and cross-examine, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

IV. ORDER OF WITNESSES

Witnesses whose names are preceded by an asterisk (*) have been excused, unless their appearance at the hearing is requested by a Commissioner. The parties have stipulated that the testimony of those witnesses will be inserted into the record as though read, and cross-examination will be waived. The parties have also stipulated that all exhibits submitted with the witnesses' testimony shall be identified as shown in Section VII of this Prehearing Order and admitted into the record.

Florida Steel Corporation has withdrawn from this docket, therefore Florida Power & Light Company has withdrawn the rebuttal testimony and exhibits of witness Birkett, and portions of the rebuttal testimony and the rebuttal exhibits of witnesses Davis and Steinmeier. The withdrawn rebuttal testimony and exhibits are set forth in Attachment A.

| <u>Witness</u> | <u>Appearing For</u> | <u>Issues #</u> |
|-------------------|----------------------|-----------------|
| <u>Direct</u> | | |
| *K. M. Davis | FPL | 2-5, 5B, 7-12 |
| *W. D. Steinmeier | FPL | 2-5, 5B, 7, 9 |
| *P. S. Lee | Staff | 5 - 11 |
| <u>Rebuttal</u> | | |
| *K. M. Davis | FPL | 4, 5, 5B-11 |
| *W. D. Steinmeier | FPL | 3-5, 5A, 7, 9 |

V. BASIC POSITIONS

FPL: FPL has stipulated to issues 1 and 6. FPL's basic position relates to the issues designated as moot. The Commission should approve FPL's proposal to initiate for its nuclear generating units, effective January 1, 1995, : (1) a \$30 million per year permanent amortization schedule and, (2) for the years 1995 and 1996, an additional amortization expense equal to 100% of base rate revenues produced by retail sales between its "low band" and "most likely" sales forecasts and 50% of base rate revenues produced by retail sales above its "most likely" sales forecast.

In support of its proposal FPL submits that:

- (1) the electric industry is moving to a much more competitive marketplace and as a result, certain customers will have a choice as to the supplier of their electric needs;
- (2) as customers select those alternative suppliers, costs incurred on their behalf will have to be reallocated to remaining customers or, ultimately may have to be written off;

- (3) estimates for stranded costs nationwide are staggering and FPL and its customers are not exempt;
- (4) its generating facilities have potential to become stranded and its nuclear generating facilities appear to have a higher degree of risk of not being competitive on a total cost basis because of their relatively high net book value compared to FPL's other units and the cost of new advanced combined cycle technology, continuing regulation, escalating decommissioning costs, and uncertainties concerning storage and disposal of nuclear fuel; and
- (5) all customers benefit from this proposal because it is a strategy that begins to address the potential for stranded costs and their adverse impacts before they have occurred, reduces upward pressure on future revenue requirements by reducing FPL's investment in nuclear facilities, and is being done without an increase in rates.

In order to account for its proposal, FPL submits that:

- (1) the amortization be maintained separate and apart from normal accumulated depreciation with separate subaccounts established for each nuclear unit in proportion to the ratio of the net investment in each of FPL's four nuclear units to the aggregate net investment in nuclear plant at the beginning of each year;
- (2) consistent with the treatment approved by the Commission when depreciation rates are revised, FPL will adjust its amortization of investment tax credits and the turnaround of deferred income taxes to reflect implementation of FPL's nuclear amortization proposal;
- (3) the recorded amount of amortization will be accumulated and will not be reduced by interim retirements or other adjustments associated with changes in the gross investment in the nuclear units. The cumulative amortization amount will be reduced in connection with the complete removal of the gross investment in the nuclear units from FPL's accounts; and

- (4) existing depreciation practices should not be adjusted to eliminate or alter the effect of this proposal because if future depreciation studies considered the effect of this proposal, it would negate the acceleration impact inherent in it.

STAFF:

Staff's proposal to resolve the issues in this docket is set forth in issue 1. Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

VI. ISSUES AND POSITIONS

STIPULATED

ISSUE 1: Should the Staff proposal to resolve the issues in this docket be approved?

POSITION: Yes. If this proposal is approved, issues 2-5, 7-9, and 11-12 are moot. Both staff and the company are in agreement as to issue 6 which relates to the reserve deficiency associated with FPL's nuclear plants. The proposal is as follows:

1. FPL shall apply the additional 1995 depreciation expense, of approximately \$126 million, booked in accord with preliminary implementation approved in Order PSC-95-0672-FOF-EI to the reserve deficiency in nuclear production, which was calculated to be \$175,304,010 as of January 1, 1994.

2. Commencing in 1996, FPL shall record an annual \$30 million in nuclear amortization. The expense amount is final; however, the account to which it is booked remains subject to determination by the Commission in a future proceeding such as a generic stranded cost docket.

3. FPL shall record an additional expense in 1996 and 1997 equal to 100% of base rate revenues produced by retail sales between its "low band" and "most likely sales forecast" for 1996 as filed in this docket, and at least 50% of the base rate revenues produced by retail

sales above FPL's "most likely sales forecast" for 1996 as filed in this docket. Any additional expense recorded as a result of this provision will be first applied to correct the remaining reserve deficiency existing in nuclear production; second, to correct the reserve deficiency existing in FPL's other production facilities, which was calculated to be \$60,338,330 as of January 1, 1994; third, to write off the net amount of book-tax timing differences that were flowed through in prior years and remain to be turned around in future periods; and fourth, to write off the Unamortized Loss on Reacquired Debt.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 2: Under what conditions will investments made for retail customers become stranded?

POSITIONS:

FPL: As the electric industry moves toward a new, more competitive marketplace, certain customers will have a choice as to the supplier of their electric needs. As these customers decide to leave the utility's system to take service from another supplier, costs incurred on behalf of those customers, will have to be reallocated to remaining customers or ultimately written off. (Davis, Steinmeier)

STAFF: Theoretically, stranded investment is incurred when a competitor can offer a service at a cost lower than the incumbent. However, the amount of stranded investment is dependent upon many factors including how the market is structured.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 3: Has FPL quantified the amount of nuclear plant investment that has the potential to be stranded?

POSITIONS:

FPL: No. FPL has not quantified the amount subject to be stranded because it is unable to predict the extent and timing of future competition. FPL believes the only way

stranded investment can be definitively quantified is after it occurs and that it would be imprudent to wait until that time to take action. However, the Moody's Investor Services report quantified FPL's potential stranded costs as totalling 64% of its total equity or \$2.6 billion. While FPL has not quantified the amount of nuclear plant investment that has the potential to be stranded, it believes that this potential will significantly exceed what FPL proposes to recover through its nuclear amortization proposal. Quantifying actual or potential stranded costs is not an easy process. Any such estimate would involve many assumptions about the circumstances giving rise to the stranded investment. FPL, however, has provided preliminary estimates for potential stranded costs nationally, including estimates from Resource Data International (\$163 billion), an Electric Perspectives article (\$200 billion), and Moody's Investor Services (\$135 billion - \$300 billion, depending on market assumptions). (Davis, Steinmeier)

STAFF: No.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 4: Is it appropriate to mitigate the potential for stranded costs?

POSITIONS:

FPL: Yes. The electric industry in the United States is moving to a much more competitive marketplace. As a result of the Energy Policy Act of 1992, the FERC has been moving to promote the development of the competitive wholesale market. Pressures on regulatory authorities and legislative bodies to authorize some form of competition at the retail level is growing. As a result, certain customers will have a choice as to the supplier of their electric energy needs.

If customers select these alternative suppliers, costs incurred on their behalf will be reallocated to remaining customers or, ultimately may have to be written off. Estimates for stranded costs nationwide are staggering, and FPL is not exempt. Failure to address the potential that costs will become stranded could have significant adverse consequences for FPL's customers and its shareholders. FPL believes its proposal is in the best

interest of all of its customers because it is a strategy that begins to address the potential for stranded costs and their adverse consequences before they have occurred, reduces future revenue requirements by reducing FPL's investment in nuclear facilities, and is being done without an increase in rates. (Davis, Steinmeier)

STAFF: No position at this time.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 5: Is FPL's proposed mechanism for recovering potential stranded investments appropriate?

POSITIONS:

FPL: Yes. FPL has committed to recording this amortization because it begins to mitigate the adverse consequences of stranded investment. The additional amortization is being proposed to maximize the amount of amortization taken for a two year period. The additional amortization is limited to two years because of difficulties associated with longer tenure forecasts. (Davis, Steinmeier)

STAFF: According to staff witness Lee, FPL's proposed mechanism is not appropriate because the mechanism may conflict with the goal of intergenerational equity.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 5A: Will FPL's proposed amortization achieve the goal of intergenerational equity?

POSITIONS:

FPL: Intergenerational equity is not always the determinative factor in establishing the appropriate regulatory response. The potential adverse consequences of failing to act in a timely manner are severe. FPL's proposal reduces upward pressure on future rates and will be achieved without an increase in rates. Failure to address the potential for stranded investment will create intergenerational inequity because some of the very customers for whose benefit the nuclear generating costs

were incurred may no longer be customers and, therefore, will no longer be paying for those costs. (Steinmeier)

STAFF: No. According to staff witness Lee, the proposed amortization may result in recovery of FPL's nuclear plant investments before the associated assets cease operation and service to the public.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 5B: In light of continued plant additions that will be made to each of the nuclear units, will FPL's proposed mechanism result in the mitigation of stranded investments?

POSITIONS:

FPL: FPL does not believe this to be at issue, however, any amortization recorded will mitigate the potential for stranded investment. (Davis, Steinmeier)

STAFF: According to staff witness Lee, FPL's proposed mechanism may result in the net nuclear investments decreasing at a faster rate than otherwise, the extent to which this may or may not mitigate stranded investments is unknown.

STIPULATED

ISSUE 6: Based on currently prescribed depreciation rates and components, what is the calculated reserve deficiency associated with FPL's nuclear plants?

POSITION: \$175,304,010, as of January 1, 1994.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 7: Should FPL be allowed to book an additional annual \$30 million in depreciation expense to its nuclear plants on an on-going basis?

POSITIONS:

FPL: Yes. FPL's nuclear generating assets, with a net book value of \$2.2 billion as of 12/31/94, appear to have a higher degree of risk of not being competitive on a total cost basis. Factors contributing to this include:

- a) the investment in FPL's nuclear units is high compared to other FPL units;
- b) the amount of nuclear generation on FPL's system is large;
- c) the total average cost of FPL's nuclear units, on a kwh generated basis, is higher than the average of all other forms of generation on FPL's system;
- d) new advanced combined cycle technology can be constructed for approximately \$255/KW less than the net book value of FPL's nuclear units (\$762/KW at 12/31/94);
- e) as of 12/31/94, the total gross investment in FPL's four nuclear units and related facilities has increased \$1.5 billion since they were installed, due to factors such as the steam generators replacement at Turkey Point and evolving security and safety regulations, i.e., as a result of the Three Mile Island incident; and
- f) continuing regulation, escalating decommissioning costs, and uncertainties concerning storage and disposition of nuclear fuel indicate that the total costs of nuclear units will continue to be significant in the future.

FPL has committed to recording this amortization because it begins to mitigate the adverse consequences of stranded investment. (Davis, Steinmeier)

STAFF:

According to staff witness Lee, in each year 1995-1998, FPL should be allowed to book an additional annual \$30 million in depreciation expense to first correct the reserve deficiency existing in nuclear production, second to correct the reserve deficiency existing in FPL's other production facilities, and third to recover the remaining net amounts associated with existing regulatory assets. Any residual amounts should be recorded as an unclassified production reserve to be made account specific in FPL's next depreciation study scheduled to be filed in December, 1997. In 1999, the Commission should reexamine FPL's request to continue recording the fixed \$30 million. At that time, more will be known as to the impacts, if any, of impending competition.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 8: How should FPL dispose of the additional 1995 depreciation booked in accord with preliminary implementation approved in Order PSC-95-0672-FOF-EI?

POSITIONS:

FPL: The amount recorded was the amortization pursuant to FPL's request and should be disposed of by approving FPL's request in this docket. (Davis)

STAFF: According to staff witness Lee, the additional depreciation expense booked in 1995 should be used to help correct the reserve deficiency identified in nuclear production.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 9: Should FPL's request to book an additional amortization expense in 1996 to its nuclear units equal to 100% of base rate revenues produced by retail sales between its "low band" and "most likely sales forecast" for 1996 and 50% of the base rate revenues produced by retail sales above FPL's current "most likely sales forecast" for 1996 be approved?

POSITIONS:

FPL: Yes. See FPL's position as set forth in Issue 5.

STAFF: According to staff witness Lee, FPL should be allowed to record additional expense in 1996 equal to 100% of base rate revenues produced by retail sales between its "low band" and "most likely sales forecast" for 1996 and 50% of the base rate revenues produced by retail sales above FPL's current "most likely sales forecast". This expense, however, should be booked first to complete the correction of the reserve imbalance existing in nuclear production and second to correct the reserve imbalance existing in the other production facilities. Any residual amounts should be used to recover remaining net costs associated with FPL's existing regulatory assets.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 10: What is the appropriate accounting for the 1996 amortization and on-going depreciation expense, if they are approved?

POSITIONS:

FPL: FPL proposes that the amortization be maintained separate and apart from normal accumulated depreciation with separate subaccounts established for each nuclear unit in proportion to the ratio of the net investment in each of FPL's four nuclear units to the aggregate net investment in nuclear plant at the beginning of each year. Additionally, consistent with the treatment approved by the Commission when depreciation rates are revised, FPL proposes to adjust its amortization of investment tax credits and the turnaround of deferred income taxes to reflect implementation of FPL's nuclear amortization proposal. The recorded amount of amortization will be accumulated and will not be reduced by interim retirements or other adjustments associated with changes in the gross investment in the nuclear units. The cumulative amortization amount will be reduced in connection with the complete removal of the gross investment in the nuclear units from FPL's accounts. (Davis)

STAFF: According to staff witness Lee, the 1996 amortization and on-going depreciation expense, if approved, should be recorded and maintained as a separate sub-account of accumulated depreciation and allocated based on the associated net plant. (Refer to Issues 7 and 9)

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 11: How should the additional depreciation/amortization expense, if any, booked as a result of this proceeding, be treated in the determination of future depreciation rates?

POSITIONS:

FPL: FPL's amortization proposal is intended to be in addition to existing or future approved depreciation rates based upon the traditional approach. That is, existing depreciation practices should not be adjusted to

eliminate or alter the effect of this proposal. If future depreciation studies considered the effect of this proposal, it would negate the acceleration impact inherent in FPL's proposal. (Davis)

STAFF: According to staff witness Lee, any additional depreciation/amortization expense booked as a result of this proceeding should be included in the reserve position in the determination of new depreciation rates in FPL's next depreciation review.

MOOT, IF STIPULATION ON ISSUE 1 IS APPROVED

ISSUE 12: How will FPL's proposal affect its reported earnings for 1995 and 1996?

POSITIONS:

FPL: The 1995 after tax earnings were reduced approximately \$77 million and 1996 after tax earnings are projected to be approximately \$81 million less in 1996 as a result of FPL's proposal. (Davis)

STAFF: If additional expense is booked for 1995 and 1996, the earnings for those years would be lower than they would be otherwise.

VII. EXHIBIT LIST

| <u>Witness</u> | <u>Proffered By</u> | <u>I.D. No.</u> | <u>Description</u> |
|----------------|---------------------|-----------------|---|
| *Davis | FPL | (KMD - 1) | 1995 & 1996 Sales and Revenue Forecasts/Basis for Determining Additional Nuclear Amortization |
| *Davis | FPL | (KMD - 2) | Nuclear and Fossil Plant Cost Comparison |

| <u>Witness</u> | <u>Proffered By</u> | <u>I.D. No.</u> | <u>Description</u> |
|----------------|---------------------|------------------|--|
| *Steinmeier | FPL | <u>(WDS - 1)</u> | Stranded Costs: A Study on the Treatment of, and Jurisdiction Over, Electric Utility Costs During Transition to a More Competitive Industry. |
| *Lee | Staff | <u>(PSL - 1)</u> | FPL's response to Staff's Second Set of Interrogatories, No. 27 |
| *Lee | Staff | <u>(PSL - 2)</u> | FPL's response to Staff's Second Set of Interrogatories, No. 23 |
| *Lee | Staff | <u>(PSL - 3)</u> | FPL's response to Staff's Fifth Set of Interrogatories, No. 40 |

Parties and Staff reserve the right to identify additional exhibits for the purpose of cross-examination.

VIII. PROPOSED STIPULATIONS

There are proposed stipulations as to issues 1 and 6. If the stipulations are approved, the remaining issues are moot.

IX. PENDING MOTIONS

On February 15, 1996, FPL filed and served its Motion to Compel Production of Documents and Answers to Interrogatories and its Request for Expedited Consideration of Motion to Compel Discovery. Because Florida Steel Corporation has withdrawn from this docket, the pending motion is moot.

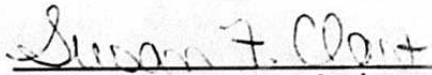
X. RULINGS

None.

It is therefore,

ORDERED by Chairman Susan F. Clark, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Chairman Susan F. Clark, as Prehearing Officer, this 29th day of February, 1996.



SUSAN F. CLARK, Chairman and
Prehearing Officer

(S E A L)

VDJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial

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review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

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Light Company.)
_____)

**WITHDRAWAL OF REBUTTAL TESTIMONY
RELATED TO FLORIDA STEEL TESTIMONY**

The following withdrawals should be made to the Rebuttal
Testimony of W.D. Steinmeier filed February 9, 1996:

- p. 1, line 12: Withdraw (beginning after "testimony
of")
- p. 1, line 13: Withdraw only "and to the direct
testimony of"
- p. 1, lines 14-16: Withdraw (beginning after
"Commission.")
- p. 2, line 1-4: Withdraw through "In addition,"
- p. 2, line 11 through
p. 15, lines 1-6: Withdraw
- p. 22, lines 21-22: Withdraw (beginning after "costs.")
- p. 23, lines 1-4: Withdraw

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WITHDRAWAL OF REBUTTAL TESTIMONY
RELATED TO FLORIDA STEEL TESTIMONY

The following withdrawals should be made to the Rebuttal
Testimony & Exhibits of K.M. Davis filed February 9, 1996:

p. 1, lines 14-19: Withdraw
p. 2, line 1: Withdraw the word "expenditures."
p. 2, line 7 through
p. 10, line 14: Withdraw
p. 13, lines 2-16: Withdraw
Exhibit KMD-3: Withdraw

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**WITHDRAWAL OF REBUTTAL TESTIMONY
RELATED TO FLORIDA STEEL TESTIMONY**

The following withdrawals should be made to the Rebuttal
Testimony & Exhibits of B.T. Birkett filed February 9, 1996:

Delete all rebuttal testimony and exhibits

TAL/14530