

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for authority to recover prudently incurred storm restoration costs related to 2004 storm season that exceed storm reserve balance, by Florida Power & Light Company.

DOCKET NO. 041291-EI  
ORDER NO. PSC-07-0079-FOF-EI  
ISSUED: January 29, 2007

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW  
KEN LITTLEFIELD

ORDER CLOSING DOCKET

BY THE COMMISSION:

On November 3, 2006, Florida Power & Light Company (FPL) filed an emergency petition in Docket Nos. 041291-EI<sup>1</sup> and 060001-EI<sup>2</sup> seeking approval of a storm cost recovery transition charge. Docket No. 041291-EI was reopened to take up this emergency petition which the Commission considered during the course of the November 6-8, 2006, fuel hearing. By Order No. PSC-06-1062-TRF-EI, issued December 26, 2006, the tariff at issue was approved. No further action in this docket is necessary. Upon consideration of the foregoing, Docket No. 041291-EI shall be closed. Docket No. 060001-EI is an ongoing proceeding and there is no need to address the closure of that docket.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Docket No. 041291-EI is closed.

<sup>1</sup> In re: Petition for authority to recover prudently incurred storm restoration costs related to 2004 storm season that exceed storm reserve balance, by Florida Power & Light Company.

<sup>2</sup> In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 29th day of January, 2007.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By:



Ann Cole, Chief  
Bureau of Records

( S E A L )

LCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.