

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Energy Conservation Cost)
Recovery Clause)**

**Docket No. 010002-EG
Filed: November 5, 2001**

**AMENDED PETITION OF FLORIDA POWER & LIGHT COMPANY FOR
APPROVAL OF ITS REVISED CONSERVATION COST RECOVERY FACTORS**

Florida Power & Light Company ("FPL"), pursuant to Section 366.82(2), Florida Statutes (2000), Florida Administrative Code Rule 25-17.015, Order Nos. PSC-93-0709-FOF-EG, PSC-98-1084-FOF-PU, and PSC-01-0660-PCO-EG, hereby files its amended petition to the Florida Public Service Commission ("Commission") for approval of the revised conservation cost recovery factors shown on Appendix I, attached hereto and incorporated by reference, to be applied during the January 2002 through December 2002 billing period and to continue in effect thereafter until modified by the Commission. The grounds for this Petition are:

1. The name and the address of the affected agency are:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

2. FPL's address is 9250 West Flagler Street, Miami, Florida 33174. Correspondence, notices, orders, motions and other documents concerning this petition should be sent to:

Charles A. Guyton
Steel Hector & Davis LLP
215 South Monroe Street
Suite 601
Tallahassee, Florida 32301

William G. Walker, III
Vice President, Regulatory Affairs
Florida Power & Light Company
9250 West Flagler Street
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3. FPL is an investor-owned electric utility regulated by the Commission pursuant to Chapter 366, Florida Statutes. FPL is subject to the Florida Energy Efficiency Conservation Act

("FEECA"), and its Energy Conservation Cost Recovery ("ECCR") clause is subject to the Commission's jurisdiction. By rule, Florida Administrative Code 25-17.015, and Order Nos. PSC-93-0709-FOF-EG, PSC-93-1845-FOF-EG, and PSC-98-1084-FOF-PU (among others), the Commission has authorized conservation cost recovery factors and set forth their calculation. FPL's substantial interest in the recovery of its conservation-related expenditures will be affected by this proceeding.

4. FPL originally filed a petition requesting approval of conservation cost recovery factors for calendar year 2002 in a petition dated September 20, 2001. The conservation cost recovery factors requested in that petition were based upon a sales forecast that had been prepared in the summer of 2001. That sales forecast did not anticipate the events of September 11, 2001 and their effect on the economy and electricity sales.

5. FPL has recently updated its sales forecast for 2002 based upon revised economic forecasts and data. Most current economic forecasts project a recession in at least the third and fourth quarters of 2001 due to an already slowing economy being significantly further slowed by the events of September 11, 2001 and the responses to those events. FPL's revised sales forecast for 2002 projects lower sales growth than the sales forecast underlying FPL's September 20, 2001 sales forecast. It projects a significant reduction in total retail sales, from 94,729,311 MWH to 91,929,691 MWH. FPL's revised forecast is presented in the supplemental direct testimony and exhibit of Dr. Leonardo E. Green, which is being filed contemporaneously with this amended petition.

6. Also being filed contemporaneously with this amended petition is the supplemental direct testimony of Dennis Reynolds. In Exhibit DR-3 Mr. Reynolds presents the revised conservation cost recovery factors resulting from the use of FPL's revised sales forecast. Exhibit

DR-2 as revised by Exhibit DR-3 consists of the conservation cost recovery forms that FPL and other utilities were directed to file by the Commission's Electric and Gas Department memorandum dated June 17, 1982. The revised conservation factors for which FPL seeks approval are also attached to this amended petition in Appendix I. FPL's amended petition, the revisions to the testimony of Mr. Reynolds and the supplemental testimony of Dr. Green are all consistent with the Commission's prior admonishment of utilities of the need for witnesses to present the most recent information available when they take the stand in adjustment clause proceedings. See, Order No. 13694.

7. FPL's revised conservation cost recovery factors were calculated consistent with the order establishing annual conservation cost recovery factors, Order No. PSC-93-0709-FOF-EG, and the order establishing the ECCR cost of service methodology, Order No. PSC-93-1845-FOF-EG. The revised factors are designed to recover the projected conservation program expenses for the period January 2002 through December 2002 adjusted for (a) the estimated true-up for the period January 2001 through December 2001, and (b) the final conservation true-up for the period January 2000 through December 2000, as well as an interest provision for both true-ups.

8. FPL projects total conservation program costs, net of all program revenues, of \$163,684,546 for the period January 2002 through December 2002. The net true-up is an overrecovery of \$6,468,765, which includes the final conservation true-up overrecovery for January 2000 through December 2000 of \$ 2,381,681 that was reported in FPL's Schedule CT-1 filed May 15, 2001. Decreasing the projected costs of \$163,684,546 by the net true-up overrecovery of \$ 6,468,765 results in a total of \$157,215,781 of conservation costs (plus applicable taxes) to be recovered during the January 2002 through December 2002 period. Total recoverable conservation

costs and applicable taxes, net of program revenues and reflecting any applicable over or under recoveries are \$158,403,094, and the conservation cost recovery factors for which FPL seeks approval are designed to recover this level of costs and taxes.


9. FPL is not aware of any disputed issues of fact. This petition is not in response to a prior agency decision, so the petitioner cannot state when and how it “received notice of the agency decision.” The Commission should approve the revised Conservation Cost Recovery factors shown on Appendix I. FPL is entitled to relief pursuant to Section 366.82(2), Florida Statutes (2000), Florida Administrative Code Rule 25-17.015, Order No. PSC-93-0709-FOF-EG, and Order No. PSC-98-1084-FOF-PU.

WHEREFORE, FPL respectfully petitions the Commission to approve for the billing period January 1, 2002 through December 31, 2002, and to continue in effect thereafter until modified by the Commission, the revised conservation cost recovery factors shown on Appendix I.

Respectfully submitted,

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APPENDIX I

FLORIDA POWER & LIGHT COMPANY CONSERVATION COST RECOVERY FACTORS January 2002 through December 2002

Rate Class	Conservation Recovery Factor \$/kWh
RS1	0.00187
GS1	0.00169
GSD1	0.00159
OS2	0.00113
GSLD1/CS1	0.00155
GSLD2/CS2	0.00146
GSLD3/CS3	0.00144
ISST1D	0.00000
SST1T	0.00135
SST1D	0.00151
CILCD/CILCG	0.00143
CILCT	0.00136
MET	0.00171
OL1/SL1	0.00090
SL2	0.00139
TOTAL	0.00172

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Petition for Approval of its Conservation Cost Recovery Factors and the Testimony and Exhibits of Dennis Reynolds was served by Hand Delivery (when indicated with an *) or mailed this 5th day of November, 2001 to the following:

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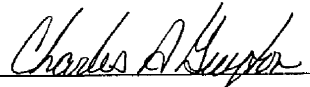
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