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COMMISSION
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October 8, 2004

VIA HAND DELIVERY

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

Re: Energy Conservation Cost Recovery Clause - Docket No. 040002-EG
Florida Power & Light Company's Preliminary List of Issues

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company (FPL) are an original and seven (7) copies of FPL's Preliminary List of Issues to be filed in the above-referenced docket.

Also included in this submittal is a computer diskette containing FPL's Preliminary List of Issues in Word format. Please contact me if you or your Staff have any questions regarding this filing.

Sincerely,

Natalie F. Smith

CMP _____
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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 040002-EG

Filed: October 8, 2004

FLORIDA POWER & LIGHT COMPANY'S
PRELIMINARY LIST OF ISSUES AND POSITIONS

Florida Power & Light Company ("FPL") hereby submits its preliminary list of issues and positions in this proceeding:

ISSUE 1: What is the final end-of-the-period true-up amount for the period January 2003 through December 2003?

FPL: \$4,698,364 overrecovery

ISSUE 2: What are the appropriate conservation cost recovery factors for the period January 2005 through December 2005?

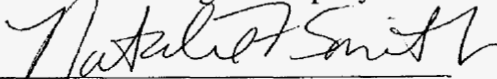
FPL:	<u>Rate Class</u>	<u>ECCR Factor</u>	<u>Rate Class</u>	<u>ECCR Factor</u>
	RS1	.00145 \$/kWh	SST1T	.00100 \$/kWh
	GS1	.00143 \$/kWh	SST1D	.00124 \$/kWh
	GSD1	.00131 \$/kWh	CILCD/CILCG	.00115 \$/kWh
	OS2	.00141 \$/kWh	CILCT	.00106 \$/kWh
	GSLD1/CS1	.00125 \$/kWh	MET	.00137 \$/kWh
	GSLD2/CS2	.00120 \$/kWh	OL1/SL1/PL1	.00070 \$/kWh
	GSLD3/CS3	.00114 \$/kWh	SL2	.00110 \$/kWh
	ISST1D	.00000 \$/kWh		

ISSUE 3: What should be the effective date of the conservation cost recovery factors for billing purposes?

FPL: January 1, 2005 through December 31, 2005

Respectfully submitted,

Florida Power & Light Company

By: 
NATALIE F. SMITH

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Preliminary List of Issues And Positions was served by Hand Delivery (when indicated with an *) or mailed this 8th day of October, 2004 to the following:

Martha Carter Brown*
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Beggs & Lane Law Firm
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Florida Industrial Power Users Group
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By: _____



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