



Florida Power & Light Company, 215 S. Monroe St., Suite 810, Tallahassee, FL 32301

ORIGINAL

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May 15, 2006

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

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COMMISSION
CLERK

**Re: Docket No. 060225-EI - Petition for determination of need for West
County Units 1 and 2 electrical power plants in Palm Beach County,
by Florida Power & Light Company**

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and fifteen (15) copies of FPL's Prehearing Statement.

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

- CMP _____
- COM 5
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH _____

Sincerely,

Nancy Smith
fa Bryan S. Anderson

BSA/ec
Enclosures
cc: Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	Docket No. 060225-EI
Petition to Determine Need for West County)	
Energy Center Units 1 and 2 Electrical Power)	Dated: May 15, 2006
Plant)	
_____)	

FLORIDA POWER & LIGHT COMPANY'S PREHEARING STATEMENT

Florida Power & Light Company ("FPL" or the "Company"), pursuant to Order No. PSC-06-0245-PCO-EI, files with the Florida Public Service Commission (the "PSC" or the "Commission"), its Prehearing Statement in connection with the proceeding initiated by FPL for an affirmative determination of need for its West County Energy Centers Units 1 and 2 electrical power plant, and states:

- (a) **The names of all known witnesses that may be called by the party, and the subject matter of their testimony;**

1. Direct testimony

Witness	Subject Matter
Roger E. Clayton, P.E. Electric Power Resources, LLC	Discussion of the transmission-related costs and losses assessments performed as part of the FPL's 2005 Request for Proposals (RFP).
Dr. Leonardo E. Green Manager of Load Forecasting Florida Power & Light Company	Description of FPL's load forecasting process and the underlying methodologies and assumptions; presentation of the load forecasts used in the RFP and the Need Study for Electrical Power Plant 2009 ("Need Study").
David N. Hicks Senior Director of Project Development Florida Power & Light Company	Description of the site and unit characteristics for West County 1 and 2; description of FPL's experience with constructing and operating combined cycle units; explanation of the assumptions made for West County 1 and 2 and why those assumptions are reasonable and achievable.
Steven D. Scroggs	Discusses Integrated Resource Planning

DOCUMENT NUMBER-DATE

04275 MAY 15 8

<p>Manager, Integrated Resource Planning Florida Power & Light Company</p>	<p>Process that led FPL to identify units that gave rise to the need to utilize the Request for Proposal process; describes how the RFP was developed and its key features; explains how the RFP process was executed resulting in FPL's recommendation that West County 1 and 2 is the most cost-effective alternative to meet the need identified for the period 2009-2011.</p>
<p>Rene Silva Director, Resource Assessment and Planning Florida Power & Light Company</p>	<p>Outlines FPL's request for an affirmative Determination of Need; introduction of FPL's witnesses and FPL's Need Study and Appendices; outlines FPL's steps that led to selection of West County 1 and 2 as the best, most cost-effective self-build alternative to meet FPL's need for 2009-2011; discusses alternatives considered as part of resource planning process, and the selection of two advanced technology coal generating units for addition in 2012 and 2013; brief summary of results of evaluation of proposals received in response to Part 1 of FPL's RFP, compared to FPL's West County 1 and 2; summarizes key points related to FPL's updated load forecast; presents significant adverse consequences that FPL and its customers face if the determination of need for West County 1 and 2 is not granted.</p>
<p>Dr. Steven R. Sim Supervisor, Resource Assessment and Planning Florida Power & Light Company</p>	<p>Explanation of FPL's resource planning process; identification of resource need for 2009-2011 and how this need was determined; explanation of FPL's demand side management (DSM) efforts and explanation of why DSM cannot meet the 2009-2011 needs; explanation of the selection of West County 1 and 2 as the next planned generating unit; overview of the proposals received in response to FPL's 2005 RFP; explanation of the evaluation of the proposals including the assignment of cost to transmission losses and the results of FPL's analyses; presentation of results of non-economic evaluation of proposals and portfolios; discussion of other</p>

	economic and non-economic points supporting conclusion that West County 1 and 2 is the best choice in regard to both economic and risk profile perspectives for FPL and its customers to meet the 2009-2011 capacity needs.
Alan S. Taylor President Sedway Consulting	Description of the independent economic evaluation of FPL's power supply options, including the process and tools used to conduct the independent economic evaluation.
Gerard J. Yupp Director of Wholesale Operations Energy Marketing and Trading Division Florida Power & Light Company	Description of fuel supply and transportation for West County 1 and 2, and the long-term fuel supply forecast and transportation cost assumptions used by FPL in its RFP evaluation for project options and outside proposals.

2. Rebuttal Testimony

Witness	Subject Matter
Steven Scroggs Manager, Integrated Resource Planning Florida Power & Light Company	Provides information in response to Staff Witness Ms. Harlow's points concerning FPL's Integrated Resource Planning Process, FPL's actions with respect to developing solid fuel generation options, FPL's support of renewable generation and other fuel diverse technologies and three recommendations made by Ms. Harlow.

(b) A description of all known exhibits that may be used by the party, whether they may be identified on a composite basis, and the witness sponsoring each;

Exhibit	Description	Sponsoring Witness(es)
Need Study for Electrical Power Plant 2009	Detailed analysis containing (i) a description of the utility primarily affected; (ii) a description of the proposed power plant; (iii) a discussion of FPL's need for the proposed power plant; (iv) a discussion of FPL's process for determining the best available option; (v) a	Clayton, Green, Hicks, Scroggs, Silva, Sim, Yupp

	discussion of non-generating alternatives and the effects of DSM efforts on the timing and size of the proposed plant; and (vi) an evaluation of the adverse consequences that will result if the proposed power plant is not added in the size or time sought.	
Need Study App. A.	Interconnection with Other Utilities	Clayton
Need Study App. B.	Existing Generating Facilities	Scroggs
Need Study App. C.	Computer Models Used in Resource Planning	Green, Sim
Need Study App. D.	2005 RFP	Scroggs
Need Study App. E.	Load Forecast	Green
Need Study App. F.	Fuel Forecast	Yupp
Need Study App. G.	Financial and Economic Assumptions	Sim
Need Study App. H.	2005 RFP Notices and News Release	Scroggs
Need Study App. I.	2005 RFP Questions and Answers	Scroggs
Need Study App. J.	Self Build Construction Option	Hicks
Need Study App. K.	Intentionally Blank	
Need Study App. L.	Transmission Capacity Loss Estimates	Clayton
Need Study App. M.	Transmission Capacity and Energy Loss Cost Estimates	Sim
Need Study App. N.	Intentionally Blank	
Need Study App. O.	Non-Economic Evaluation Results	Sim
Need Study App. P.	Approved DSM Programs	Sim
REC-1	Summary of Performance of all Portfolios for: FPL System – Integration Impact, Interconnection Costs, Peak & Average Losses and SE Florida import limits; Non-FPL System – Integration Impact	Clayton
REC-2	Transmission Loss	Clayton

	Estimates	
LEG-1	Total Average Customers	Green
LEG-2	Summer Peak Load (MW)	Green
LEG-3	Summer Peak Load Per Customer (KW)	Green
LEG-4	Winter Peak Load (MW)	Green
LEG-5	Winter Peak Load Per Customer (KW)	Green
LEG-6	Summer Peak Weather	Green
LEG-7	Comparison of 2004 & 2006 Need Determination Forecast	Green
LEG-8	Comparison of Global Insight's Forecasts of Florida Real Personal Income	Green
LEG-9	Net Energy for Load Use Per Customer (KWH)	Green
LEG-10	Net Energy for Load (GWH)	Green
LEG-11	Non-Agricultural Employment	Green
LEG-12	Comparison of 2004 & 2005 Need Determination Forecast – Real Price of Electricity	Green
LEG-13	Comparison of 2006 Need Determination & Current Forecast	Green
DNH-1	Typical 3x1 CC Unit Process Diagram	Hicks
DNH-2	FPL Operational Combined Cycle Plants & FPL Combined Cycle Construction Projects in Progress	Hicks
DNH-3	West County Plant Vicinity Map	Hicks
DNH-4	West County Plant Aerial Map	Hicks
DNH-5	West County Proposed Power Block Area	Hicks
DNH-6	West County Unit 1 Fact Sheet	Hicks
DNH-7	West County Unit 2 Fact Sheet	Hicks

	Sheet	
DNH-8	Overall Water Balance for the West County Site	Hicks
DNH-9	West County Expected Construction Schedule	Hicks
DNH-10	West County Construction Cost Components	Hicks
SDS-1	Notice Publication Affidavits	Scroggs
SDS-2	List of Registered RFP Participants and Attendees at RFP Meetings	Scroggs
RS-1	Comparison of Projected Gas-Coal Price Differentials	Silva
RS-2	FPL's plan for capacity additions for 2009 through 2013	Silva
RS-3	FPL's projected energy mix in 2014	Silva
RS-4	List of proposals received by FPL in response to Part 1 of its RFP, and the capacity, technology and term of each proposal	Silva
RS-5	Economic ranking of portfolios reflecting each of the proposals received, compared to FPL's Next Planned Generating Unit (NPGU)	Silva
SRS-1	Projection of FPL's 2009-2011 Capacity Needs	Sim
SRS-2	FPL's Commission-Approved DSM Goals	Sim
SRS-3	Overview of FPL Self-Build Options Evaluated	Sim
SRS-4	Economic Evaluation Results for FPL Self-Build Options	Sim
SRS-5	List of Organizations Submitting Proposals & Proposal Overview	Sim
SRS-6	Proposal Details	Sim
SRS-7	Economic Evaluation Results for Individual	Sim

	Proposals	
SRS-8	Summary of Portfolios Evaluated	Sim
SRS-9	Economic Evaluation Results for Portfolios – Generation System Costs Only	Sim
SRS-10	Economic Evaluation Results for Portfolios – Generation System and Transmission-Related Costs Only	Sim
SRS-11	Calculation of Peak Hour Loss Cost for Portfolio 5 (WCEC 1 and P1)	Sim
SRS-12	Calculation of Annual Energy Loss Cost for Portfolio 5 (WCEC 1 and P1)	Sim
SRS-13	Economic Evaluation Results for Portfolios – All Costs	Sim
SRS-14	Non-Economic Evaluation Results	Sim
SRS-15	Eligibility Determination Evaluation Results	Sim
SRS-16	Projection of FPL's 2006-2011 Capacity Needs with Updated Load Forecast (without New Resource Additions)	Sim
SRS-17	Projection of FPL's 2006-2011 Capacity Needs with Updated Load Forecast (with Additional DSM and New Near-Term Purchases)	Sim
SRS-18	Projection of FPL's 2006-2011 Capacity Needs with Updated Load Forecast (with Additional DSM, New Near-Term Purchases and WCEC 1 and WCEC 2)	Sim
SRS-19	Change In FPL System Costs if WCEC 1 is delayed to 2010 (A 7 month Delay from June 2009 to January	Sim

	2010)	
SRS-20	Change in FPL System Costs if WCEC 1 is Delayed to 2010 (A One Year Delay from June 2009 to June 2010)	Sim
AST-1	Resume of Alan S. Taylor	Taylor
AST-2	Sedway Consulting's Independent Evaluation Report	Taylor

Additional Exhibits

In addition to the pre-filed exhibits referenced above, FPL reserves the right to utilize any exhibit introduced by any other party. FPL additionally reserves the right to introduce any additional exhibit necessary for rebuttal, cross-examination or impeachment at the final hearing.

FPL's Notice of Intent to use Confidential Information at Hearing

Pursuant to the Order Establishing Procedure, FPL hereby notifies all parties that it intends to use at the hearing in this docket confidential Appendices C-1 through and including C-5 to FPL's Need Study filed in these proceedings. FPL filed a motion seeking confidential treatment of the referenced information on March 13, 2006, which is pending at the date of this pre-hearing statement. In a memorandum dated March 29, 2006 the Staff of the Commission recommended that the referenced information be granted confidential status. FPL requests that the Commission grant confidential classification of these documents, and that the procedures provided for pursuant to Section 366.093, Florida Statutes and by Section VIII.B. of the Order Establishing Procedure be followed in this proceeding.

FPL reserves the right to file additional notices of intent to use confidential information at hearing if FPL later identifies additional confidential information it intends to use at hearing.

(c) A statement of basic position in the proceeding;

FPL seeks a determination of need for West County 1 and 2. West County 1 and 2 are required in order for FPL to maintain electric system reliability and integrity and to continue to provide adequate electricity to its customers at a reasonable cost. Without the timely addition of West County 1 and 2, FPL expects that it will not meet the summer reserve margin criterion of 20 percent starting in the summer of 2009 and for each summer thereafter.

West County 1 and 2 are also needed to help address the issues associated with the Southeast Florida imbalance of load and generation on FPL's system, such as reducing demand and energy losses and costs associated with operating more expensive Southeast Florida combustion turbines. As discussed in FPL's 2005 Ten Year Site Plan and as highlighted in its 2005 Request for Proposals ("RFP"), there is a growing imbalance between the amount of generating capacity located in the southeast area of FPL's service territory and the electrical load

for this region. The electrical load for this region has traditionally been the largest portion of FPL's entire system load, and it continues to grow.

FPL decided to proceed with licensing of West County 1 and 2 only after conducting an internal review of supply-side and demand-side alternatives and after engaging in an extensive capacity solicitation process in accordance with Rule 25-22.082, Florida Administrative Code (the "Bid Rule"). During its internal review of supply-side alternatives, FPL quantified and evaluated each alternative's impact on FPL's system production costs, as well as transmission-related costs. Ultimately, FPL selected West County Units 1 and 2 as the best, most cost-effective alternative.

West County 1 and 2 will be highly efficient and highly reliable, state-of-the-art generating units. The proposed location of Units 1 and 2 at the West County Energy Center in unincorporated western Palm Beach County, which site has been zoned for power plants, and the selection of combined cycle technology, will maximize the beneficial use of the site while minimizing environmental, land use and cost impacts typically associated with development of a nominal 2438 MW power plant.

FPL's analysis conducted in preparation for its RFP showed that a minimum of 2,371 MW of additional supply resources would be needed to supply customers' needs reliably during the 2009-2011 time frame, including satisfying the summer reserve margin criterion. FPL's most recent forecasts show that FPL's capacity needs are higher than those shown in the forecasts at the time of the issuance of the RFP, further confirming the need for capacity resources.

FPL engaged in an extensive capacity solicitation process through its RFP in compliance with the Bid Rule. Proposals received in response to its RFP were used to develop candidate portfolios in configurations that satisfied the 2009-2011 need. FPL's and an independent evaluator's extensive economic evaluations of these proposals included quantifying and considering generation-related costs, transmission-related costs (including transmission interconnection and integration costs, energy and capacity losses and increased operational costs), as well as the impact of each portfolio on FPL's capital structure minus mitigating factors offered by purchased power options. FPL calculated each option's transmission-related costs by calculating the revenue requirements associated with transmission interconnection and integration for each option as well as each option's impact on FPL's transmission losses and costs of operating less-efficient gas turbines in Southeast Florida.

The impact of purchased power portfolios on FPL's capital structure was recognized by an equity adjustment according to the methodology contained in the RFP. Because rating agencies treat a portion of a purchasing utility's firm capacity payment as an off-balance sheet obligation, the equity adjustment represents a real cost associated with purchasing power that must be recognized in assessing purchased power options. Purchased power options provide some mitigation, through completion and performance security, to potential costs the purchasing utility might otherwise incur through a self-build alternative. This mitigating value was estimated and factored into the evaluation. The value of the mitigation is applied in the equity adjustment calculation to offset the cost of portfolios containing purchased power options. The

sum of each portfolio's generation costs, transmission costs, and cost impact on capital structure minus the mitigating factors represented the total system costs to FPL customers for the portfolio.

FPL's final cost comparisons from its RFP evaluation demonstrated a clear and substantial separation in cost between West County 1 and 2 and all other alternatives. The next most competitive portfolio, compared with West County 1 and 2 alone, consisted of West County 1 and 2 coupled with a 50 MW system sale offered by one participant. The closest alternative portfolio that did not include West County 1 and 2 was more than \$750 million in Cumulative Present Value of Revenue Requirements (CPVRR) more costly to FPL's customers than the addition of West County 1 and 2. Furthermore, that portfolio did not offer any non-economic, fuel diversity or other advantages over West County 1 and 2.

FPL concluded from its evaluation that constructing and operating West County 1 and 2 is the best and most cost-effective alternative for satisfying the new capacity needs of FPL's customers for 2009-2011. An independent evaluation confirmed FPL's conclusion.

FPL attempted to avoid or defer constructing the unit by considering and pursuing demand-side options reasonably available to it, but concluded that it could not avoid or defer its need to construct West County 1 and 2. For all of these reasons, as more fully developed in FPL's Need Study and direct testimony, FPL respectfully requests that the Commission grant a favorable determination of need for West County 1 and 2.

- (d) A statement of each question of fact the party considers at issue, the party's position on each such issue, and which of the party's witnesses will address the issue;**

ISSUE 1: Has FPL met the requirements of Rule 25-22.082, Florida Administrative Code, "Selection of Generating Capacity"?

FPL: Yes. The evidence filed by FPL in this proceeding shows that FPL complied with the requirements of Rule 25-22.082 (the "Bid Rule"). (Silva, Sim, Scroggs)

ISSUE 2: Is there a need for the proposed West County Unit 1, taking into account the need for electric system reliability and integrity, as the criterion is used in section 403.519, Florida Statutes?

FPL: Yes. Without completing West County Unit 1 by June 2009, FPL and Peninsular Florida's electric system reliability and integrity will be significantly reduced. FPL will also fail to meet its required 20 percent reserve margin. Without the unit, FPL's summer reserve margin for 2009 would decrease to 15.5% and decrease further in each following year. (Green, Silva, Sim, Scroggs, Yupp)

ISSUE 3: Is there a need for the proposed West County Unit 2, taking into account the need for electric system reliability and integrity, as the criterion is used in section 403.519, Florida Statutes?

FPL: Yes. Without completing West County Unit 2 by June 2010 (and assuming that West County Unit 1 is also not completed) FPL's summer reserve margin would be reduced to 11.7% in 2010 and 9.2% in 2011. West County Unit 2 is therefore needed to maintain the electric system reliability and integrity of FPL and Peninsular Florida. (Green, Silva, Sim, Scroggs, Yupp)

ISSUE 4: Is there a need for the proposed West County Unit 1, taking into account the need for adequate electricity at a reasonable cost, as the criterion is used in section 403.519, Florida Statutes?

FPL: Yes. West County Unit 1 will be a highly efficient and reliable, state-of-the-art unit producing electricity for FPL's customers at a reasonable price, and because of its efficiency will help mitigate fuel costs for customers. (Green, Hicks, Silva, Sim, Scroggs, Yupp)

ISSUE 5: Is there a need for the proposed West County Unit 2, taking into account the need for adequate electricity at a reasonable cost, as the criterion is used in section 403.519, Florida Statutes?

FPL: Yes. West County Unit 2 will be a highly efficient and reliable, state-of-the-art unit producing electricity for FPL's customers at a reasonable price, and because of its efficiency will help mitigate fuel costs for customers. (Green, Hicks, Silva, Sim, Scroggs, Yupp)

ISSUE 6: Are there any conservation measures taken by or reasonably available to FPL which might mitigate the need for the proposed West County Unit 1?

FPL: No. In assessing its 2009-2011 need, FPL has assumed implementation of all reasonably achievable, cost-effective conservation and load management measures previously determined by the Commission to be available to FPL. (Sim)

ISSUE 7: Are there any conservation measures taken by or reasonably available to FPL which might mitigate the need for the proposed West County Unit 2?

FPL: No. In assessing its 2009-2011 need, FPL has assumed implementation of all reasonably achievable, cost-effective conservation and load management measures previously determined by the Commission to be available to FPL. (Sim)

ISSUE 8: Is the proposed West County Unit 1 the most cost-effective alternative available, as this criterion is used in section 403.519, Florida Statutes?

FPL: Yes. In evaluating its next planned generating units, FPL quantified and evaluated each alternative's impact on FPL's system production costs and transmission-related costs. Ultimately, FPL selected the West County Unit 1 combined cycle option as the best, most cost-effective alternative and identified it as its next planned generating unit.

FPL also engaged in an extensive capacity solicitation process through its RFP in compliance with the Bid Rule. Proposals received in response to its RFP were used to develop candidate portfolios in configurations that satisfied the 2009-2011 need. FPL's and the independent evaluator's extensive economic evaluations of these proposals included quantifying and considering generation-related costs, transmission-related costs (including transmission interconnection and integration costs, energy and capacity losses and increased operational costs) as well as the impact of each portfolio on FPL's capital structure minus mitigating factors offered by purchased power options. FPL calculated each option's transmission-related costs by calculating the revenue requirements associated with transmission interconnection and integration for each option as well as each option's impact on FPL's transmission losses and costs of operating less efficient gas turbines in Southeast Florida.

The impact of purchased power portfolios on FPL's capital structure was recognized by an equity adjustment according to the methodology contained in the RFP. Because rating agencies treat a portion of a purchasing utility's firm capacity payment as an off-balance sheet obligation, the equity adjustment represents a real cost associated with purchasing power that must be recognized in assessing purchased power options. Purchased power options provide some mitigation, through completion and performance security, to potential costs the purchasing utility might otherwise incur through a self-build alternative. This mitigating value was estimated and factored into the evaluation. The value of the mitigation is applied in the equity adjustment calculation to offset the cost of portfolios containing purchased power options. The sum of each portfolio's generation costs, transmission costs, and cost impact on capital structured minus the mitigating factors represented the total system costs to FPL customers for the portfolio.

FPL's final cost comparisons from its RFP evaluation demonstrated a clear and substantial separation in cost between West County 1 and 2 and all other alternatives. The next most competitive portfolio, compared with West County Units 1 and 2 alone, consisted of West County 1 and 2 coupled with a 50 MW system sale offered by one participant. The closest alternative portfolio that did not include West County 1 and 2 was more than \$750 million in Cumulative Present Value of Revenue Requirements (CPVRR) more costly to FPL's customers than the addition of West County 1 and 2. Furthermore, that portfolio did not offer any non-economic, fuel diversity or other advantages over West County 1 and 2. (Clayton, Green, Hicks, Scroggs, Silva, Sim, Taylor, Yupp)

ISSUE 9: Is the proposed West County Unit 2 the most cost-effective alternative available, as this criterion is used in section 403.519, Florida Statutes?

FPL: Yes, for the reasons stated with respect to Issue 8 above. (Clayton, Green, Hicks, Scroggs, Silva, Sim, Taylor, Yupp)

ISSUE 10: Based on the resolution of the foregoing issues, should the Commission grant FPL's petition to determine the need for proposed West County Unit 1?

FPL: Yes. For the foregoing reasons, and as more fully developed in FPL's Need Study and testimony, FPL's petition to determine the need for the proposed West County Unit 1 should be granted.

ISSUE 11: Based on the resolution of the foregoing issues, should the Commission grant FPL's petition to determine the need for proposed West County Unit 2?

FPL: Yes. For the foregoing reasons, and as more fully developed in FPL's Need Study and testimony, FPL's petition to determine the need for the proposed West County Unit 2 should be granted.

ISSUE 12: If an affirmative determination of need is granted, should FPL be required to annually report the budgeted and actual cost compared to the estimated total in-service cost of the proposed West County Units 1 and 2?

FPL: Yes. Although the Bid Rule does not require that a utility annually report budgeted and actual costs associated with a proposed power plant, FPL is amenable to providing such information on an annual basis. Some costs may be higher than estimated and other costs may be lower, but FPL agrees that providing this information on an annual basis will allow Commission Staff to monitor FPL's progress for West County 1 and 2. In providing this information FPL wants to clarify that the cost used in the evaluation that resulted in selecting West County 1 and 2 as the most cost-effective resource option to meet FPL's 2009-2011 needs is the total estimated costs and that any underruns in one category will be used to off-set any overruns in another category. Per the Bid Rule, FPL would need to demonstrate that costs in addition to the estimated total costs were prudently incurred and due to extraordinary circumstances for such additional costs to be recoverable. If on the other hand, the actual cost is less than the referenced estimated total installed costs, customers will receive the benefit of such cost underruns. (Hicks)

ISSUE 13: Should this docket be closed?

FPL: Yes, following the issuance of an affirmative determination of need for West County 1 and 2.

(e) A statement of issues that have been stipulated by the parties;

No stipulations have been entered into as of the date of this prehearing statement.

(f) A statement of all pending motions or other matters the party seeks action upon;

None, except for the pending Request for Confidential Classification listed in item (g) below.

(g) A statement identifying the parties' pending requests or claims for confidentiality;

FPL filed its Request for Confidential Classification for Certain Documents and Information Filed in Connection with its Petition for Determination of Need on March 13, 2006, which request is pending at the date of this prehearing statement.

(h) A statement as to any requirement set forth in the Order Establishing Procedure that cannot be complied with, and the reasons therefore;

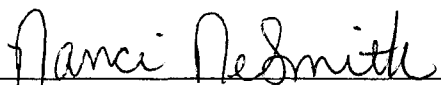
At this time, FPL is not aware of any requirements in the Order Establishing Procedure with which it cannot comply.

(i) Any objections to a witness's qualifications as an expert

At this time, FPL has no objections to a witness's qualifications as an expert.

Respectfully submitted this 15th day of May, 2006.

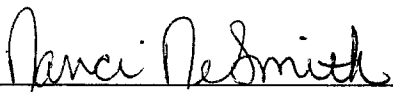

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Bryan S. Anderson, Esquire
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Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408
(561) 691-7101

By: 
for Bryan S. Anderson
Authorized House Counsel No. 219511

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Prehearing Statement has been furnished by United States Mail this 15th day of May, 2006 to the following:

Katherine E. Fleming, Esquire
Florida Public Service Commission
2540 Shumard Oak Blvd.
Gerald L. Gunter Building
Tallahassee, FL 32399-0850

By: 
 Bryan S. Anderson
Authorized House Counsel No. 219511