

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power )  
cost recovery clause with )  
generating performance incentive )  
factor. )  
\_\_\_\_\_ )

Docket No. 060001-EI  
Filed: October 24, 2005

FLORIDA POWER & LIGHT COMPANY'S MOTION  
FOR LEAVE TO FILE SUPPLEMENTAL PETITION FOR APPROVAL OF  
LEVELIZED FUEL COST RECOVERY FACTORS AND SUPPLEMENTAL  
TESTIMONY AND EXHIBITS OF K. M. DUBIN AND G. YUPP

Florida Power & Light Company ("FPL"), pursuant to Rule 28-106.204, F.A.C., hereby moves for leave to file the attached supplemental petition of Florida Power & Light Company for approval of levelized fuel cost recovery charges (the "Supplemental Petition") and supplemental direct testimony and exhibits of K. M. Dubin and G. Yupp (the "Supplemental Testimony"). In support of its motion, FPL states as follows:

1. On September 1, 2006, FPL filed its petition for approval of, *inter alia*, levelized fuel cost recovery ("FCR") charges for January through December 2007 (the "September 1 Petition"). The September 1 Petition also sought approval for a revised 2006 estimated/actual FCR true-up over-recovery. The revised estimated/actual true-up reflected in the September 1 Petition was based on actual data for January through July 2006 and estimates for August through December 2006.

2. The 2007 FCR charges and 2006 estimated/actual true-up for which the September 1 Petition sought approval were based on fuel price projections for the remainder of 2006 and for 2007 as of August 7, 2006, the most current information that could be accommodated in that filing. Subsequently, the fuel price projections for residual fuel oil and natural gas have declined substantially. FPL has re-calculated its 2007 FCR charges and 2006

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estimated/actual true-up based on fuel price projections as of October 16, 2006. The Supplemental Petition seeks approval of the re-calculated 2007 FCR charges and 2006 estimated/actual true-up, in lieu of those presented in the September 1 Petition. In addition, the changes in projected 2007 fuel prices have necessitated a change to the basis for developing the two sets of FCR charges (one for January through April, and the other for May through December) that would levelize the impact in 2007 of the Generation Base Rate Adjustment for Turkey Point Unit 5 (“GBRA”) that becomes effective in May. The Supplemental Testimony explains and supports these changes to the 2007 FCR charges and the 2006 estimated /actual true-up, as well as the revised basis for levelizing the GBRA impact.

3. In Order No. 13694 in Docket No. 840001-EI, dated September 20, 1984, the Commission stated that:

[A]ll regulated utilities [are] on notice that testimony given at hearing, whether verbal or prefiled, must be true and correct as of the date it is incorporated in the record. While we recognize that fuel adjustment projections are compiled significantly in advance of hearing and are composed of many assumptions that are subject to change, we must, at the time of hearing, have the benefit of the most accurate and current information available to the utilities. This is not to say that every known change must be brought to our attention. Rather, *we are concerned with material and significant changes in the basic assumptions supporting a company’s request*. A changed assumption that would either result in, or have the potential to result in, a mid-course correction should certainly be brought to our attention. Likewise, changes in the assumptions regarding nuclear or other base load units should be updated. A certain element of judgment will have to be exercised in updating assumptions of limited materiality. We will expect such updates at hearing and shall evaluate failures to update on a case-by-case basis.

(Emphasis added). The updated fuel price projections, together with the actual fuel cost data for August and September 2006, represent a “material and significant change in the basic assumptions supporting” FPL’s requested FCR factors for 2007. Accordingly, filing the Supplemental Petition and Supplemental Testimony and Exhibits is consistent with the

Commission's direction in Order No. 13694. Use of the revised FCR factors instead of those that FPL filed on September 1 will result in customers' paying substantially reduced fuel charges, which more accurately reflect FPL's actual fuel costs in 2006 and currently projected fuel costs the remainder of 2006 and for 2007.

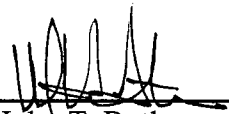
4. FPL has contacted counsel for all other parties of record concerning this motion. None has stated an objection to the motion at this time.

WHEREFORE, FPL moves the Commission for leave to file the attached Supplemental Petition of Florida Power & Light Company for Approval of Levelized Fuel Cost Recovery Factors and supplemental direct testimony and exhibits of K. M. Dubin and G. Yupp.

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**CERTIFICATE OF SERVICE**  
**Docket No. 060001-EI**

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