

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF COMMISSION HEARING

TO

FLORIDA POWER & LIGHT COMPANY

PROGRESS ENERGY FLORIDA, INC.

OFFICE OF PUBLIC COUNSEL

SOUTHERN ALLIANCE FOR CLEAN ENERGY, INC.

FLORIDA INDUSTRIAL POWER USERS GROUP

PCS PHOSPHATE – WHITE SPRINGS

FEDERAL EXECUTIVE AGENCIES

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 100009-EI

NUCLEAR COST RECOVERY CLAUSE.

ISSUED: August 10, 2010

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission will hold a public hearing in the above docket at the following time and place:

Tuesday-Friday, August 24-27, 2010, 9:30 a.m.*
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida 32399-0850

*The starting times on August 25, 26, and 27, 2010 will be announced at the conclusion of the hearing on August 24, 25, and 26, respectively. The hearing may be adjourned early if all testimony is concluded.

DOCUMENT NUMBER: 06508

06508 AUG 10 2010

FPSC-COMMISSION OFFICE

PURPOSE AND PROCEDURE

The purpose of this hearing shall be to receive testimony and exhibits relative to issues and subjects, including, but not limited to, the following:

Legal Issues:

Do FPL's activities related to Turkey Point Units 6 & 7 qualify as "siting, design, licensing, and construction" of a nuclear power plant as contemplated by Section 366.93, F.S.?

Do PEF's activities related to Levy Units 1 & 2 qualify as "siting, design, licensing, and construction" of a nuclear power plant as contemplated by Section 366.93, F.S.?

Does the Commission have the authority to require a "risk sharing" mechanism that would provide an incentive for a utility to complete a project within an appropriate, established cost threshold? If so, what action, if any, should the Commission take?

Progress Energy Florida, Inc's Specific Issues:

Should the Commission find that for the year 2009, PEF's accounting and costs oversight controls were reasonable and prudent for the Levy Units 1 & 2 project and the Crystal River Unit 3 Uprate project?

Should the Commission find that for the year 2009, PEF's project management, contracting, and oversight controls were reasonable and prudent for the Levy Units 1 & 2 project and the Crystal River Unit 3 Uprate project?

Should the Commission approve what PEF has submitted as its annual detailed analysis of the long-term feasibility of completing the Levy Units 1 & 2 project, as provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

Is PEF's decision to continue pursuing a Combined Operating License from the Nuclear Regulatory Commission for Levy Units 1 & 2 reasonable? If not, what action, if any, should the Commission take?

Should the Commission approve what PEF has submitted as its annual detailed analysis of the long-term feasibility of completing the Crystal River Unit 3 Uprate project, as

provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

What system and jurisdictional amounts should the Commission approve as PEF's final 2009 prudently incurred costs and final true-up amounts for the Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as PEF's reasonably estimated 2010 costs and estimated true-up amounts for the Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as PEF's reasonably projected 2011 costs for the Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as PEF's final 2009 prudently incurred costs and final true-up amounts for the Levy Units 1 & 2 project?

What system and jurisdictional amounts should the Commission approve as reasonably estimated 2010 costs and estimated true-up amounts for PEF's Levy Units 1 & 2 project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2011 costs for PEF's Levy Units 1 & 2 project?

What is the total jurisdictional amount to be included in establishing PEF's 2011 Capacity Cost Recovery Clause factor?

Florida Power & Light Company's Specific Issues:

Should the Commission find that for the year 2009, FPL's accounting and costs oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project and the Extended Power Uprate project?

Should the Commission find that for the year 2009, FPL's project management, contracting, and oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project and the Extended Power Uprate project?

Should the Commission approve what FPL has submitted as its annual detailed analysis

of the long-term feasibility of completing the Turkey Point 6 & 7 project, as provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

Is FPL's decision to continue pursuing a Combined Operating License from the Nuclear Regulatory Commission for Turkey Point Units 6 & 7 reasonable? If not, what action, if any, should the Commission take?

Should the Commission approve what FPL has submitted as its annual detailed analysis of the long-term feasibility of completing the Extended Power Uprate project, as provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

What system and jurisdictional amounts should the Commission approve as FPL's final 2009 prudently incurred costs and final true-up amounts for the Extended Power Uprate project?

What system and jurisdictional amounts should the Commission approve as FPL's reasonable actual/estimated 2010 costs and estimated true-up amounts for the Extended Power Uprate project?

What system and jurisdictional amounts should the Commission approve as FPL's reasonably projected 2011 costs for the Extended Power Uprate project?

What system and jurisdictional amounts should the Commission approve as FPL's final 2009 prudently incurred costs and final true-up amounts for the Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as reasonably estimated 2010 costs and estimated true-up amounts for FPL's Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2011 costs for FPL's Turkey Point Units 6 & 7 project?

What is the total jurisdictional amount to be included in establishing FPL's 2011 Capacity Cost Recovery Clause factor?

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The Commission may also consider any other matters or motions that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement.

ORDER OF PRESENTATION

The order of presentation of witnesses shall be set forth in the prehearing order to be issued in this docket.

PREFILED TESTIMONY

Testimony, exhibits, and data relative to the issues above shall be prefiled as set forth in the Order Establishing Procedure issued in this docket.

JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes, including Section 366.93, Florida Statutes. This hearing will be governed by said Chapter as well as Chapter 120, Florida Statutes, and Rules 25-6.0423, 25-22, and 28-106, Florida Administrative Code.

PRACTICE AND PROCEDURE

At the hearing, all parties shall be given the opportunity to be heard and to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on August 11, 2010. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.


Any person requiring some accommodation at this hearing because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired, please contact the Florida Public

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Service Commission using the Florida Relay Service, which can be reached at 1 (800) 955-8771 (TDD).

By DIRECTION of the Florida Public Service Commission this 10th day of August, 2010.

ANN COLE
Commission Clerk

By: 
Dorothy E. Menasco
Chief Deputy Commission Clerk

(SEAL)

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