

Diamond Williams

100001-EI

From: WOODS.MONICA [WOODS.MONICA@leg.state.fl.us]
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Subject: 100001.OPC's and AG's motion for extension (s. version)
Attachments: 100001.OPC's and AG's motion for extension (s. version).pdf

Electronic Filing

a. Person responsible for this electronic filing:

Joseph A. McGlothlin, Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
(850) 488-9330
mcglothlin.joseph@leg.state.fl.us

b. Docket No. 100001-EI

In re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor.

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of 5 pages.

e. The document attached for electronic filing is Motion of OPC and Attorney General for Extension of Time to File Limited Testimony.

(See attached file 100001.OPC's and AG's motion for extension (s. version))

Thank you for your attention and cooperation to this request.

Monica R. Woods
Administrative Assistant
Office of Public Counsel
Phone #: 488-9330
Fax# :487-6419

DOCUMENT NUMBER DATE
7694 SEP 14 2010
FPSC-COMMISSION CLERK

9/15/2010

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power
Cost Recovery Clause with
Generating Performance Incentive
Factor

DOCKET NO. 100001-EI

FILED: September 14, 2010

**MOTION OF OPC AND ATTORNEY GENERAL FOR
EXTENSION OF TIME TO FILE LIMITED TESTIMONY**

The Office of Public Counsel (OPC) and the Attorney General of the State of Florida, through their undersigned attorneys, move for an order extending the deadline for Intervenors' testimony on the subject of Florida Power & Light's (FPL) projections of fuel savings attributable to the operation of West County Unit 3 during the period June-December, 2011, and states:

1. On September 2, 2010, FPL filed its projections of fuel prices and its requested fuel cost recovery factors for calendar year 2011. Under the provisions of the Order Establishing Procedure, the deadline for Intervenors' testimony addressing FPL's projections is September 22, 2010.
2. Included in FPL's September 2 filing is the testimony of FPL witness Gerard Yupp. Mr. Yupp provides a projection of the fuel savings that FPL's West County Unit 3 will accomplish (relative to the FPL system without West County 3) during the period June-December 2011. Additionally, FPL witness Terry Keith sponsors a revised fuel factor that is intended to reflect the lower system fuel costs simultaneously with the addition of West County 3 to FPL's system.

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3. FPL's filing of projected fuel savings attributable to West County 3 and the associated lower fuel cost recovery factor stem from the terms of a proposed settlement agreement between FPL and certain Intervenors presently pending before the Commission in Docket No. 080677-EI. If the Commission approves the settlement agreement, (among other provisions) FPL will be permitted to collect through its capacity cost recovery clause the portion of June-December 2011 revenue requirements associated with owning and operating West County 3 that equals the amount by which the unit is projected to reduce system fuel costs during the same time frame. The terms of the pending settlement agreement call for FPL to provide data to the Intervenors that will enable them to assess and, if warranted, challenge FPL's projection of fuel savings attributable to West County 3.

4. The calculation of fuel savings is performed by employing computerized production costing simulations to model the operation of FPL's system with and without the new unit, and comparing the fuel costs that FPL would incur to operate its system in the two scenarios. OPC has engaged the services of a consultant who is well versed in such simulations, and has requested from FPL the data that will enable the consultant to analyze and, if warranted, respond to FPL's projections. However, such a review requires more time to complete than the existing case schedule provides. OPC and AG therefore request the Prehearing Officer to extend the deadline for testimony addressing the limited topic of the fuel savings attributable to West County 3 by 12 days, to and including October 4, 2010. OPC and AG do not object to a day-for-day extension of time for FPL to file rebuttal testimony on the limited subject of the projections of fuel savings. FPL's revised deadline for rebuttal testimony on the subject of projected fuel savings

from West County 3 would fall on October 18, seven days prior to the scheduled Prehearing Conference.

OPC and AG have contacted the parties concerning their positions on this motion for extension. FPL does not object to the granting of the motion if the Commission includes a day-for-day extension of the deadline for rebuttal testimony on the same subject. FIPUG and Florida Retail Federation support the motion. FEA does not object to the granting of the motion. Progress Energy Florida, Tampa Electric Company, Gulf Power Company, FPUC, and PCS Phosphate take no position on the motion.

WHEREFORE, OPC and AG respectfully request the Prehearing Officer to enter an order extending the deadline for Intervenors' testimony addressing the projected fuel savings attributable to West County 3 to and including October 4, 2010, with a corresponding extension of the deadline for FPL to response to any such testimony on that subject to October 18, 2010.

J.R. KELLY
PUBLIC COUNSEL

s/ Joseph A. McGlothlin
Joseph A. McGlothlin
Associate Public Counsel
Florida Bar No. 0163771

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Rm 812
Tallahassee, FL 32399-1400

(850) 488-9330

Attorney for the Citizens
of the State of Florida

BILL McCOLLUM
ATTORNEY GENERAL

s/Cecilia Bradley
Cecilia Bradley
Senior Assistant Attorney
General
Florida Bar No. 0363790

Office of the Attorney General
The Capitol-PL01
Tallahassee, FL 32399-1050

Telephone (850) 414-3300
Facsimile (850)488-4872

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the **MOTION OF OPC AND ATTORNEY GENERAL FOR EXTENSION OF TIME TO FILE LIMITED TESTIMONY** has been furnished by electronic mail on this 14th day of September, 2010, to the following:

Erik Sayler
Lisa Bennett
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Beth Keating
Akerman Law Firm
106 East College Avenue, Suite 1200
Tallahassee, FL 32301

James D. Beasley
J. Jeffrey Wahlen
Ausley Law Firm
Post Office Box 391
Tallahassee, FL 32302

Jeffrey A. Stone
Russell A. Badders
P.O. Box 12950
Pensacola, FL 32591-2950

James W. Brew
F. Alvin Taylor
Brickfield Law Firm
Eighth Floor, West Tower
1025 Thomas Jefferson St., NW
Washington, DC 20007

Shayla L. McNeil, Capt., USAF
Federal Executive Agencies
c/o AFLSA/JACL-ULT
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

John W. McWhirter, Jr.
c/o McWhirter Law Firm
P.O. Box 3350
Tampa, FL 33601

John T. Butler
Ken Hoffman
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

George Bachman
Cheryl Martin
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL 33402-3395

Robert Scheffel Wright
John T. LaVia
c/o Young Law Firm
225 South Adams Street, Suite 200
Tallahassee, FL 32301

Susan D. Ritenour
Gulf Power Company
One Energy Place
Pensacola, FL 32520-0780

Paul Lewis
Progress Energy Florida, Inc.
106 East College Avenue, Suite 800
Tallahassee, FL 32301-7740

Paula K. Brown
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601-4111

Vicki Gordon Kaufman
Jon C. Moyle, Jr.
Keefe Law Firm
118 North Gadsden Street
Tallahassee, FL 32301

John T. Burnett
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, FL 33733-4042

Randy B. Miller
White Springs Agricultural Chemicals, Inc.
Post Office Box 300
White Springs, FL 32096

s/ Joseph A. McGlothlin
Joseph A. McGlothlin
Associate Public Counsel