State of Florida



Hublic Service Commission -M-E-M-O-R-A-N-D-U-M-

DATE: January 4, 2002

TO: All Parties of Record

FROM: Wm. Cochran Keating, Senior Attorney Q From Company.

RE: Docket No. 001148-EI - Review of the retail rates of Florida Power & Light Company.

As discussed at the informal issue identification meeting held December 21, 2001, staff has prepared a compilation of the preliminary issue lists filed by the parties. The compilation of issues is attached.

This compilation consists of the following: (1) staff's issue list, with modifications discussed at the December 21 meeting, and identification of those issues that staff believes are disputed issues at this time; and (2) parties' issues that are not covered in staff's list. Where a party indicated that one or more of its issues are not covered in staff's list, those issues are included at the end of the compilation. However, where staff determined that such issues are covered in staff's list, staff has removed the issue and made a cross-reference to the issue next to the related issue in staff's list. Staff has raised two additional issues which are shown in boldface type in staff's list.

If you have any questions concerning this compilation of preliminary issues, please call me at (850) 413-6193.

WCK/anc Attachment

DOCUMENT NUMBER - DATE

ATTACHMENT

COMPILATION OF ISSUES DOCKET NO. 001148-EI JANUARY 4, 2002

STAFF ISSUES

Staff has identified with an asterisk (*) those issues with which staff has a particular concern at this time. Staff has identified several other issues as issues that should be resolved in the course of rate-setting with respect to FPL, although staff may not have a particular concern based on the information it has at this time. This distinction is made solely to help guide FPL in the preparation of its direct testimony in this docket.

FORECASTING

Issue 1: Are FPL's forecasts of customers and KWH by revenue class, and system KW for the 2002 projected test year reasonable?

Issue 2: Is FPL's forecast of inflation rates appropriate?

Issue 3: To what extent, if any, should FPL's forecasted financial statements and resulting retail rates for the 2002 test year be adjusted to remove the effects of short term economic conditions?*

QUALITY OF SERVICE

Is the number of customer bills which have to be estimated each month appropriate for FPL?

Issue 5: Is the quality of electric service provided by FPL adequate?

Issue 6: Is FPL's customer complaint resolution process adequate?

Issue 7: Should FPL be required to provide a refund to retail customers incurring frequent outages?*

RATE BASE

Is FPL's level of Plant in Service in the amount of \$18,901,692,000 (\$19,004,488,000 system) for the 2002 projected test year appropriate?

Issue 9: Is FPL's level of Accumulated Provision for Depreciation and Amortization in the amount of \$10,028,613,000 (\$10,089,240,000 system) for the 2002 projected test year appropriate?

Is FPL's level of Construction Work in Progress in the amount of \$903,823,000 (\$912,691,000 system) for the 2002 projected test year appropriate?

- Issue 11: Is FPL appropriately accruing AFUDC on CWIP for the 2002 projected test year for the following projects: (1) Project 181 Unit 5 Martin; (2) Project 710 Ft. Myers Peaking Combustion Turbine and Transmission Interconnection; (3) Project 715 Martin Conversion and Interconnection; (4) Project 716 Ft. Myers Conversion and Interconnection; and (5) Project 717 Midway Combined Cycle?*
- Issue 12: Is FPL's level of Property Held for Future Use in the amount of \$68,266,000 (\$68,611,000 system) for the 2002 projected test year appropriate?
- Issue 13: Is FPL's level of Working Capital in the amount of \$63,687,000 (\$191,390,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 151 Fuel Stock in the amount of \$93,372,000 (\$94,526,000 system) for the 2002 projected test year appropriate?
- Issue 15: Should the net overrecovery/underrecovery of fuel, conservation, and environmental expenses for the test year be included in the calculation of working capital allowance for FPL?

Issue 15A:

- (New) Has FPL removed the appropriate amount of Regulatory Asset Special Deferred Fuel out of 2002 projected test year working capital?*
- Issue 16: Has FPL removed the appropriate amount of Regulatory Asset Okeelanta Settlement out of 2002 projected test year working capital?
- Issue 17: Should adjustments to exclude interest on tax deficiency be made to working capital for the 2002 projected test year?
- Issue 18: Is \$500 million an appropriate reserve goal for Account 228.1 Accum. Provision for Property Insurance Storm Damage?* (FPL Issue 7; Publix Issue 118)
- Issue 19: Should the capitalized items currently approved for recovery through the Environmental Cost Recovery Clause be included in rate base?*
- Issue 20: What are the appropriate adjustments that should be made to FPL's test year rate base to account for the additional security measures implemented in response to the increased threat of terrorist attacks since September 11, 2001?*
- Issue 21: Should the investment in corporate aircraft be removed from 2002 projected test year?*
- Issue 22: What adjustment, if any, should be made to projected test year rate base to reflect the Commission's decision in Docket No. 991931-EG, concerning the last core of nuclear fuel?

- Issue 23: What adjustment, if any, should be made to projected test year rate base to reflect the Commission's decision in Docket No. 981246-EI, concerning nuclear decommissioning?
- Issue 24: What adjustment, if any, should be made to projected test year rate base to reflect the Commission's decision in Docket No. 990324-EI, concerning the disposition of FPL's accumulated nuclear amortization?
- Issue 25: What adjustments, if any, should be made to projected test year rate base to recognize implementation of Statement of Financial Accounting Standards Nos. (FAS) 133/137, Accounting for Derivative Instruments and Hedging Activities?
- Issue 26: What adjustments, if any, should be made to projected test year rate base to recognize implementation of FAS 143, Accounting for Asset Retirement Obligations?
- What adjustments, if any, should be made to projected test year rate base to recognize implementation of the AcSEC Statement of Position regarding accounting for certain costs and activities related to property, plant, and equipment?
- Is FPL's rate base of \$9,908,855,000 (\$10,088,964,000 system) for the 2002 projected test year appropriate? (This is a fallout issue.)

COST OF CAPITAL

- Issue 29: What is the appropriate cost of common equity capital for FPL?* (Publix Issue 159)
- **Issue 30:** What is the appropriate common equity ratio for ratemaking purposes for FPL?*
- **Issue 31:** What is the appropriate amount of accumulated deferred taxes to include in FPL's capital structure?
- **Issue 32:** What is the appropriate amount and cost rate of unamortized investment tax credits to include in FPL's capital structure?
- **Issue 33:** Have FPL's rate base and capital structure been reconciled appropriately?
- Issue 34: What is the appropriate weighted average cost of capital including the proper components, amounts and cost rates associated with the capital structure for FPL for the projected test year? (This is a fallout issue.)

NET OPERATING INCOME

- Issue 35: Is FPL's level of Total Operating Revenues in the amount of \$3,649,342 (\$3,703,679 system) for the 2002 projected test year appropriate?
- Issue 36: Has FPL made the appropriate adjustments to remove the capacity cost revenues and related expenses recoverable through the Capacity Cost Recovery Clause?

- Issue 37: Has FPL made the appropriate adjustments to remove fuel revenues and fuel expenses recoverable through the Fuel Adjustment Clause?
- **Issue 38:** Has FPL made the appropriate adjustments to remove the environmental revenues and related expenses recoverable through the Environmental Cost Recovery Clause?
- **Issue 39:** Has FPL made the appropriate adjustments to remove the conservation revenues and related expenses recoverable through the Conservation Cost Recovery Clause?
- Issue 40: Is FPL's level of Account 513 Maintenance of Electric Plant (Major Only) expense in the amount of \$17,241,000 (\$17,454,000 system) for the 2002 projected test year appropriate?*
- Issue 41: Is FPL's level of Total Steam Power Generation O&M (Accounts 500-514) in the amount of \$129,196,000 (\$130,835,000 system) for the 2002 projected test year appropriate?*
- Issue 42: Is FPL's level of Account 517 Operation Supervision and Major Engineering expense in the amount of \$71,662,000 (\$71,858,000 system) for the 2002 projected test year appropriate?*
- Issue 43: Is FPL's level of Account 519 Coolants and Water expense in the amount of \$6,445,000 (\$6,462,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 520 Steam expense in the amount of \$23,360,000 (\$23,424,000 system) for the 2002 projected test year appropriate?*
- Issue 45: Is FPL's level of Account 523 Electric expense in the amount of \$269,000 (\$270,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 524 Miscellaneous Nuclear Power expense in the amount of \$37,862,000 (\$37,965,000 system) for the 2002 projected test year appropriate?*
- Issue 47: Is FPL's level of Total Nuclear Power Generation Operation expense (Accounts 517-525) in the amount of \$139,598,000 (\$139,979,000 system) for the 2002 projected test year appropriate?*
- Issue 48: Is FPL's level of Total Nuclear Power Generation Maintenance expense (Accounts 528-532) in the amount of \$119,011,000 (\$119,264,000 system) for the 2002 projected test year appropriate?*
- Issue 49: Is FPL's level of Account 546 Operation Supervision and Engineering expense in the amount of \$3,489,000 (\$3,535,000 system) for the 2002 projected test year appropriate?*
- Issue 50: Is FPL's level of Account 548 Generation expense in the amount of \$2,930,000 (\$2,968,000 system) for the 2002 projected test year appropriate?*

- Issue 51: Is FPL's level of Account 549 Miscellaneous Other Power Generation expense in the amount of \$8,713,000 (\$8,826,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Other Power Generating Maintenance expense (Accounts 551-554) in the amount of \$21,126,000 (\$21,399,000 system) for the 2002 projected test year appropriate?*
- Issue 53: Is FPL's level of Account 565 Transmission of Electricity by Others expense in the amount of \$10,329,000 (\$10,440,000 system) for the 2002 projected test year appropriate?*
- Issue 54: Is FPL's level of Account 566 Miscellaneous Transmission expense in the amount of \$4,183,000 (\$4,228,000 system) for the 2002 projected test year appropriate?*
- Issue 55: Is FPL's level of Account 571 Maintenance of Overhead Transmission Lines, which includes tree-trimming expenses, in the amount of \$9,590,000 (\$9,693,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 588 Miscellaneous Distribution Operating Expenses in the amount of \$27,776,000 (\$27,776,000 system) for the 2002 projected test year appropriate?*
- Issue 57: Is FPL's level of Total Distribution Operation expense (Accounts 580-589) in the amount of \$93,308,000 (\$93,322,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 593 Maintenance of Overhead Lines, which includes tree trimming expenses, in the amount of \$85,843,000 (\$85,843,000 system) for the 2002 test year appropriate?*
- Issue 59: Is FPL's level of Total Distribution Maintenance expense (Accounts 590-599) in the amount of \$167,892,000 (\$167,895,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 904 Uncollectible Accounts expense in the amount of \$10,283,000 (\$10,283,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Total Customer Accounts Expense (Accounts 901-905) in the amount of \$105,888,000 (\$106,019,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 909 Information and Inst. Advertising expense in the amount of \$2,541,000 (\$2,541,000 system) for the 2002 projected test year appropriate?*

- Issue 63: Is FPL's level of Account 910 Miscellaneous Customer Service and Information expense in the amount of \$5,451,000 (\$5,451,000 system) for the 2002 projected test year appropriate?*
- Issue 64: Is FPL's level of Total Customer Service and Information Expense (Accounts 907-910) in the amount of \$17,229,000 (\$78,959,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 911 Supervision Sales expense in the amount of \$\$1,051,000 (\$1,051,000 system) for the 2002 projected test year appropriate?*
- Issue 66: Is FPL's level of Account 920 Administrative and General Salaries expense in the amount of \$132,361,000 (\$132,877,000 system) for the 2002 projected test year appropriate?*
- Issue 67: Is FPL's level of Account 921 Office Supplies and Expenses in the amount of \$79,587,000 (\$80,025,000 system) for the 2002 projected test year appropriate?*
- Is FPL's level of Account 923 Outside Services expense in the amount of \$20,075,000 (\$20,153,000 system) for the 2002 projected test year appropriate?*
- Is FPL's 2002 projected test year accrual of \$50,300,000 for Storm Damage appropriate?* (FPL Issue 7; Publix Issue 118)
- **Issue 70:** What is the appropriate amount of Other Post Employment Benefits Expense for the projected 2002 test year?
- Issue 71: What is the appropriate amount of Pension Expense for the projected 2002 test year?
- Issue 72: Is FPL's 2002 projected test year accrual for medical/life reserve-active employees and retirees appropriate?
- Issue 73: Is FPL's level of Account 928 Regulatory Commission Expense in the amount of \$8,803,000 (\$8,803,000 system) appropriate?*
- Issue 74: Is FPL's amount in Account 935 Maintenance of General Plant expense in the amount of \$8,222,000 (\$8,254,000 system) appropriate?*
- Issue 75: Is FPL's level of Total Administrative and General Expense (Accounts 920-935) in the amount of \$277,245,000 (\$288,300,000 system) for the 2002 projected test year appropriate?*
- **Issue 76:** Are lobbying expenses included in the 2002 projected test year and, if so, should an adjustment be made to remove them?*
- Issue 77: Are industry association dues included in the 2002 projected test year and, if so, should an adjustment be made to remove them?

Issue 78: Are membership dues included in the projected test year and, if so, should an adjustment be made to remove them?

Issue 79: Has FPL budgeted to fund the NEI Utility Waste Management Group, and if so, should an adjustment be made to remove it?*

Is FPL's assumed growth in salaries and wages appropriate? If not, what adjustment is necessary?

Issue 80: Is FPL's level of employees in the 2002 projected test year appropriate?

Issue 81: Is FPL's level of Salaries and Employee Benefits for the 2002 projected test year appropriate?

What are the appropriate adjustments to FPL's 2002 projected test year operating expenses to account for the additional security measures implemented in response to the increased threat of terrorist attacks since September 11, 2001?*

Issue 83: Is FPL's level of economic development expenses appropriate?

Issue 84: Is FPL's level of Total Operation and Maintenance Expense in the amount of \$1,218,944,000 (\$1,228,113,000 system) for the 2002 projected test year appropriate? (This is a fallout issue.)

Issue 85: Is FPL's Depreciation and Amortization Expense of \$801,678,000 (\$825,250,000 system) for the 2002 projected test year appropriate? (This is a fallout issue.)

Issue 86: Has FPL provided adequate assurance that repowering its Ft. Myers and Sanford units is prudent?*

Issue 87: Is FPL's procurement of services from Black & Veatch, associated with FPL's Sanford and Ft. Myers repowering projects, reasonable, and if not, should an adjustment be made to remove inappropriate costs?*

Issue 88: Are FPL's Consumer Price Index factors used in determining 2002 projected test year expenses appropriate?

Issue 89: Is FPL's level of Taxes Other Than Income Taxes in the amount of \$273,168,000 (\$273,598,000 system) for the 2002 projected test year appropriate?

Issue 90: Should the total amount of Gross Receipts Tax be removed from base rates and shown as a separate line item on the bill?*

Issue 91: Is FPL's interest on tax deficiencies of \$193,000 (\$194,000 system) for the 2002 projected test year appropriate?*

Issue 91A:

(New) Has FPL appropriately reflected Internal Revenue Service Notice 2001-82 in its 2002 projected test year?

- Issue 92: Are FPL's Income Tax expenses in the amount of \$384,215,000 (\$378,890,000 system) for the 2002 projected test year appropriate? (This is a fallout issue.)
- **Issue 93:** Are consolidating tax adjustments appropriate, and if so, what are the appropriate amounts for the 2002 projected test year for FPL?
- Issue 94: What adjustment, if any, should be made to 2002 projected test year NOI to reflect the Commission's decision in Docket No. 991931-EG, concerning the last core of nuclear fuel?
- Issue 95: What adjustment, if any, should be made to 2002 projected test year NOI to reflect the Commission's decision in Docket No. 981246-EI, concerning nuclear decommissioning?
- Issue 96: What adjustment, if any, should be made to 2002 projected test year NOI to reflect the Commission's decision in Docket No. 990324-EI, concerning the disposition of FPL's accumulated nuclear amortization?
- **Issue 97:** What adjustments, if any, should be made to the projected test year expenses to recognize implementation of FAS 143?
- Issue 98: What adjustments, if any, should be made to projected test year NOI to recognize implementation of FAS 133/137?
- Issue 99: What adjustments, if any, should be made to the projected test year expenses to recognize implementation of the AcSEC Statement of Position regarding accounting for certain costs and activities related to property, plant, and equipment?

Issue

Is FPL's Net Operating Income of \$873,016,000 (\$873,841,000 system) for the 2002 projected test year appropriate? (This is a fallout issue.)

REVENUE REQUIREMENTS

Issue

What is the appropriate revenue expansion factor and the appropriate net operating income multiplier, including the appropriate elements and rates for FPL?

Issue

Should FPL's annual operating revenue requirements be adjusted for the 2002 projected test year?* (FPL Issue 4)

COST OF SERVICE AND RATE DESIGN

Issue 103:

Is FPL's separation of costs and revenues between the wholesale and retail jurisdictions appropriate? (Publix Issue 160)

Issue

104: Is FPL's method of developing its estimates by rate class of the 12 monthly

coincident peak hour demands and the class non-coincident peak hour demands

appropriate?

Issue

105: What is the appropriate cost of service methodology to be used in designing FPL's

rates?*

Issue

106: Are FPL's estimated revenues from sales of electricity by rate class at present rates

for the projected 2002 test year appropriate?

Issue

107: If a change in revenue requirements is ordered, how should it be allocated among the

customer classes? (FPL Issue 6)

Issue

108: What are the appropriate demand charges?

Issue

109: What are the appropriate energy charges?

Issue

110: What are the appropriate customer charges?

Issue

111: What are the appropriate service charges?

Issue

112: What are the appropriate lighting rate schedule charges?

Issue

113: How should FPL's time-of-use rates be designed?*

Issue

114: What is the appropriate credit per KW of billing demand for those customers who

provide their own transformation?

Issue

115: What is the appropriate monthly fixed charge carrying rate to be applied to the

installed cost of additional customer-requested distribution equipment for which

there are no tariffed charges?

Issue

What is the appropriate Monthly Rental Factor to be applied to the in-place value of

customer-rented distribution substations to determine the monthly rental fee for such

facilities?

Issue

117: What are the appropriate termination factors to be applied to the in-place value of

customer-rented distribution substations to calculate the termination fee?

Issue

118: What are the appropriate termination factors to be applied to the total installed cost

of premium lighting facilities under rate schedule PL-1 to determine the termination

fee?

Issue

119: What is the appropriate Present Value Revenue Requirement multiplier to be applied

to the installed cost of premium lighting facilities under rate schedule PL-1 to

determine the lump sum advance payment amount for such facilities?

Issue

120: What is the appropriate level and design of the charges, and terms and conditions,

under the Standby and Supplemental Service (SST-1) rate schedule?

Issue ...

121: What is the appropriate level and design of the charges, and terms and conditions,

under the Interruptible Standby and Supplemental Service (ISST-1) rate schedule?*

GRIDFLORIDA ISSUES

Issue

122: What are the amounts and components of rate base associated with transmission

assets of 69 kV and above?*

Issue

123: What is the amount of expenses associated with transmission assets of 69 kV and

above?*

Issue

124: How should costs associated with FPL's participation in GridFlorida be recovered?*

Issue

125: In the event the Commission determines that GridFlorida transmission charges

should be recovered through a cost recovery clause, what is the appropriate adjustment for transmission costs in base rates to ensure that there is no double

recovery?

OTHER ISSUES

Issue

126: Should adjustments be made for the rate base effects of FPL's transactions with

affiliated companies?

Issue

127: Should adjustments be made for the capital structure effects of FPL's transactions

with affiliated companies?

Issue

128: Should adjustments be made for the net operating income effects of FPL's

transactions with affiliated companies?

Issue

129: Is an incentive plan appropriate for FPL to promote cost savings and if so, how

would it be structured?

Issue

What is the appropriate regulatory treatment for sales of natural gas and

transportation capacity made by FPL to an affiliated company?

Issue

131: What is the appropriate regulatory treatment for sales of natural gas and

transportation capacity made by FPL to an unaffiliated company?

Issue

132: How should FPL allocate the costs associated with its sales of natural gas to FPL

Energy Services (FPLES)?

Issue

133: What is the appropriate regulatory treatment of FPL Energy Services' revenues and

costs associated with sales by FPLES to customers within FPL's service area?

Issue

134: What is the appropriate regulatory treatment of FPL Energy Services' revenues and

costs associated with sales by FPLES to customers outside of FPL's service area?

Issue

135: Should FPL be required to file, within 90 days after the date of the final order in this

docket, a description of all entries or adjustments to its annual report to the Florida Public Service Commission, rate of return reports, and books and records which may

be required as a result of the Commission's findings in this rate case?

FPL ISSUES (not included in Staff's Issues)

Issue

136: In setting FPL's revised ROE midpoint and range, should the Commission make an

upward adjustment to reflect FPL's exceptional performance? (FPL Issue 2)

Issue

137: If the Commission determines that FPL's base rates should be revised, should an

attrition allowance be made? (FPL Issue 5)

Issue

138: Which party(ies) has the burden of proof as to whether or not FPL's base rates

should be reduced in this proceeding?

PUBLIC COUNSEL'S ISSUES (not included in Staff's Issues)

Issue

139: Should the traditional benchmark test be used to determine which O&M expenses

FPL must justify on the record? (OPC Issue 24)

PUBLIX ISSUES (not included in Staff's Issues)

Issue

140: What level of over-recovery results from demand meters that are not reset and/or

resealed after reading? (Publix Issue 5)

Issue

141: Does working capital appropriately reflect assets and liabilities that should be

included in rate base? (Publix Issue 30)

Issue

142: Does FPL's capital structure appropriately reflect accumulated deferred income

taxes? (Publix Issue 37)

Issue

143: Is the \$7.8 million (15.2%) increase in transmission expenses from 2000 to 2002

justified and reasonable? (Publix Issue 111)

Issue

144: With respect to the transmission allocations, does the revenue credit methodology

employed by FPL provide a reasonable allocation of the costs of providing

transmission service? (Publix Issue 112)

Issue

145: With respect to steam power generation O&M expenses, is the \$15.6 million increase

(13.6%) in non-fuel expenses from 2000 to 2002 justified and reasonable? (Publix

Issue 113)

Issue

146: With respect to nuclear power generation O&M expenses, is the \$17.9 million

increase in non-fuel expenses from 2000 to 2002 justified and reasonable? (Publix

Issue 114)

Issue

147: With respect to Other Power Production Expenses, is the \$6.2 million increase (20%)

in non-fuel expenses from 2000 to 2002 justified and reasonable? (Publix Issue 115)

Issue

148: Is the \$308 million increase in Other Power Supply Expenses, exclusive of Account

555, from 1999 to 2002, justified and reasonable? Is the \$883 million increase from 2000 to 2002 reasonable based on the credit in Account 557 in 2000? (Publix Issue

116)

Issue

149: Are sales expenses appropriately allocated to the retail jurisdiction? (Publix Issue

117)

Issue

150: What is the appropriate level of decommissioning expense for the 2002 projected

Test Year? (Publix Issue 119)

Issue

151: Is the annual accrual to the Nuclear Maintenance reserve reasonable? (Publix Issue

120)

Issue

152: Is the \$72.7 million (35.5%) increase in miscellaneous expenses from 2000 (adjusted

to remove 2000 merger-related expenses) to 2002 justified and reasonable? (Publix

Issue 161)

Issue -

153: Is the design of the FPL Real Time Pricing rate appropriate? (Publix Issue 162)

Issue

154: Should FPL's billing measurements be modified to include optional totalized billing

to allow for fair treatment of customers with multiple facilities? (Publix Issue 163)

Issue

155: Are rate case expenses appropriately amortized in the Test Year? (Publix Issue 164)