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October 18, 2002

**-VIA FEDERAL EXPRESS-**

Blanca S. Bayó  
Director, Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket No. 020007-EI**

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Preliminary List of Issues and Positions, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the documents appear is Word 2000.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

Very truly yours,



John T. Butler, P.A.

Enclosure

cc: Counsel for Parties of Record (w/encl.)

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM 5
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC 1
- OTH \_\_\_\_\_

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Environmental Cost            )  
Recovery Clause                        )

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DOCKET NO. 020007-EI  
DATED: OCTOBER 18, 2002

**FLORIDA POWER & LIGHT COMPANY'S  
PRELIMINARY LIST OF ISSUES AND POSITIONS**

1.     What are the appropriate final environmental cost recovery true-up amounts for the period January, 2001 through December, 2001?

**FPL:** \$0 pursuant to the 1999 Stipulation and Settlement Agreement approved by Commission Order No. PSC-99-0519-AS-EI. (DUBIN)

2.     What are the estimated environmental cost recovery true-up amounts for the period January 2002 through December 2002?

**FPL:** \$7,799,426 underrecovery. Pursuant to Commission Order No. PSC-01-2463-FOF-EI, this true-up amount represents actual costs for the period April 15, 2002 through June 2002 and revised estimates for the period July 2002 through December 2002, excluding interest. (DUBIN)

3.     What are the total environmental cost recovery true-up amounts to be collected or refunded during the period January 2003 through December 2003?

**FPL:** \$7,799,426 underrecovery. (DUBIN)

4.     What are the appropriate projected environmental cost recovery amounts for the period January 2003 through December 2003?

**FPL:** The total environmental cost recovery amount, adjusted for revenue taxes is \$19,149,944. This amount consists of \$11,049,501 of projected environmental cost for the period January through December 2003, net of the prior period underrecovery and taxes. (DUBIN)

5.     What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery true-up amounts to be collected during the period January 2003 through December 2003?

**FPL:** The depreciation rates used to calculate the depreciation expense should be the rates that are in effect during the period the allowed capital investment is in service as approved by the FPSC. (DUBIN)



managing the integrity of pipelines that could affect high consequence areas if a leak or rupture occurs. The objective of this requirement is to improve the integrity of the pipeline systems in the U.S, in order to protect public safety, human health, and the environment. (LABAUVE, DUBIN)

10. Should FPL be allowed to recover costs associated with the Manatee Reburn NOx Control Technology Project?

**FPL:** Yes. Per Section 366.8255(1)(d)7, FPL has entered into an agreement with the Florida Department of Environmental Protection (FDEP) and is requesting recovery of costs associated with the installation of reburn technology at the Manatee Units 1 and 2 for the exclusive purpose of ensuring compliance with ozone ambient air quality standards in the Tampa Bay Airshed. (LABAUVE, DUBIN)

11. Should FPL be allowed to recover costs associated with the Spill Prevention, Control, and Countermeasures (SPCC) Project?

**FPL:** Yes. In compliance with Title 40 Code of Federal Regulation Part 112, FPL is requesting recovery of costs associated with the SPCC Project. The regulation requires certain facilities to prepare and implement SPCC Plans and address oil spill prevention requirements including the establishment of procedures, methods, equipment, and other requirements to prevent discharges of oil. (LABAUVE, DUBIN)

**WITNESSES AND SUBJECT MATTER**

WITNESS	SPONSOR	SUBJECT MATTER	EXHIBIT TITLES
K. M. DUBIN	FPL	ECRC projections for January through December 2003	KMD-3
R.R. LABAUVE	FPL	PIM Project	RRL-2
		Manatee Reburn NOx Control Technology Project	RRL-3
		SPCC Project	

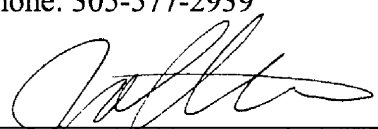
K. M. DUBIN	FPL	ECRC Estimated/Actual True-up for January through December 2002	KMD-2
R.R. LABAUVE	FPL	PIM Project	RRL-1
K. M. DUBIN	FPL	ECRC Final True-up for January through December 2001	KMD-1

Respectfully submitted,

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**CERTIFICATE OF SERVICE**  
**Docket No. 020007-EI**

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Preliminary List of Issues and Positions has been furnished by Federal Express (\*) or U.S. Mail this 18<sup>th</sup> day of October, 2002 to the following:

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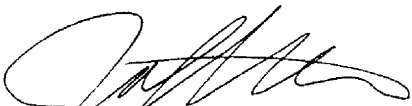
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