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August 11, 2003

**-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. 030001-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 Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery Estimated/Actual True-Up for the Period January 2003 Through December 2003, 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 document appears is Word 2000.

Also enclosed for filing are the original and fifteen (15) copies of the prefiled testimony and exhibits of Florida Power & Light Company witness K. M. Dubin.

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

Sincerely,

*John T. Butler*  
John T. Butler

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

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**IN RE:** Fuel and Purchased Power )  
Cost Recovery Clause with ) DOCKET NO. 030001-EI  
Generating Performance )  
Incentive Factor. )  
\_\_\_\_\_ )  
 )

**PETITION FOR APPROVAL OF FUEL COST RECOVERY  
AND CAPACITY COST RECOVERY ESTIMATED/ACTUAL TRUE-UP  
FOR THE PERIOD JANUARY 2003 THROUGH DECEMBER 2003**

Florida Power & Light Company ("FPL") hereby petitions the Commission for approval of FPL's estimated/actual Fuel and Purchased Power Cost Recovery ("FCR") true-up of \$344,729,859 under-recovery and approval of its estimated/actual Capacity Cost Recovery ("CCR") true-up of \$16,048,425 over-recovery for the period January 2003 through December 2003. In support of this petition, FPL states as follows:

1. By Order PSC-99-2512-FOF-EI, dated December 22, 1999, utilities are directed to file current-year estimated true-up data at least 90 days prior to each annual FCR/CCR hearing. The hearing in this docket is scheduled to commence on November 12, 2003, which is more than 90 days after the filing of this petition.

2. The estimated/actual \$344,729,859 FCR under-recovery for the period January 2003 through December 2003 was calculated in accordance with the methodology set forth in Schedule 1, page 2 of 2, attached to Order 10093, dated June 19, 1981. It is based on actual data for the period January through June 2003 and re-estimated data for the period July through December 2003. It reflects \$385,994 of incremental hedging costs for 2003, which is \$33,554

less than originally projected. The supporting documentation is contained in the prepared testimony and exhibits of FPL witness K.M. Dubin, which is being filed together with the Petition and incorporated herein.

3. The estimated/actual FCR under-recovery of \$344,729,859 exceeds the 10% threshold for mid-course corrections that the Commission discussed in Order No. 13694, Docket No. 840001-EI, dated September 20, 1984. However, FPL does not propose to adjust its FCR factors at this time. On June 13, 2003, FPL petitioned for a mid-course correction to the FCR factors, effective July 31, 2003, to collect an under-recovery of actual FCR costs for the period February through May 2003 (the "June Petition"). In the June Petition, FPL advised the Commission that, while this actual under-recovery did not by itself exceed the 10% threshold, the combination of the actual under-recovery with the projected under-recovery for June through December 2003 would substantially exceed the threshold. The June Petition nonetheless sought an adjustment to the FCR factors only for the actual under-recovery. The Commission approved the June Petition in Order No. PSC-03-0849-PCO-EI, dated July 22, 2003. As a result of implementing the approved mid-course correction, the current estimated/actual FCR under-recovery of \$344,729,859 is attributable to variances occurring in the same June to December 2003 time period as to which the June Petition did not seek to adjust the FCR factors. Consistent with the June Petition, FPL accordingly proposes to collect the current estimated/actual under-recovery through the 2004 FCR factors rather than to adjust the FCR factors further at this time.

4. The estimated/actual \$16,048,425 CCR over-recovery for the period January 2003 through December 2003 was calculated in accordance with the methodology set forth in Order No. 25773 dated February 24, 1992. It is based on actual data for the period January through June

2003 and re-estimated data for the period July through December 2003. It reflects \$10,258,750 of incremental power plant security costs for 2003, which is \$5,555,875 more than originally projected. The supporting documentation is contained in the prepared testimony and exhibits of FPL witness K.M. Dubin, which is being filed together with the Petition and incorporated herein.

WHEREFORE, Florida Power & Light Company respectfully requests the Commission to approve the \$344,729,859 under-recovery as the estimated/actual FCR true-up amount for the period January 2003 through December 2003, and to approve the \$16,048,425 over-recovery as the estimated/actual CCR true-up amount for the period January 2003 through December 2003.

Respectfully submitted,  
STEEL HECTOR & DAVIS LLP  
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Attorneys for Florida Power & Light Company

By: *John T. Butler*  
John T. Butler  
Florida Bar No. 283479

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 030001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery Estimated/Actual True-up for the Period January 2003 through December 2003 has been furnished by Federal Express (\*) or U.S. Mail this 11<sup>th</sup> day of August, 2003, to the following:

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