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August 9, 2004

**-VIA OVERNIGHT DELIVERY-**

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

RECEIVED-FPSC  
08 AUG 11 AM 10:29  
COMMISSION  
CLERK

**Re: Docket No. 040001-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 2004 Through December 2004, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows XP, 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

- CMP \_\_\_\_\_
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- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1
- OTH KMP

and exhibits of Florida Power & Light Company witnesses K. M. Dubin and John R. Hartzog.

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

Sincerely,

*Karel M. Dubin*  
John T. Butler *for JTB*

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

MIA2001 227971v1

DOCUMENT NUMBER-DATE

08726 AUG 11 04

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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. 040001-EI  
Generating Performance )  
Incentive Factor. ) Filed: August 10, 2004

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**PETITION FOR APPROVAL OF FUEL COST RECOVERY  
AND CAPACITY COST RECOVERY ESTIMATED/ACTUAL TRUE-UP  
FOR THE PERIOD JANUARY 2004 THROUGH DECEMBER 2004**

Florida Power & Light Company ("FPL") hereby petitions the Commission for approval of its estimated/actual Fuel and Purchased Power Cost Recovery ("FCR") true-up of \$182,196,299 under-recovery and approval of its estimated/actual Capacity Cost Recovery ("CCR") true-up of \$73,892,873 under-recovery for the period January 2004 through December 2004. 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 8, 2004, which is 90 days after the filing of this petition.

2. The estimated/actual \$182,196,299 FCR under-recovery for the period January 2004 through December 2004 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 2004 and re-estimated data for the period July through December 2004. The supporting documentation is contained in the prepared testimony and exhibit of FPL witness K.M. Dubin, which is being filed together with the Petition and incorporated herein.

DOCUMENT NUMBER-DATE  
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3. The estimated/actual \$73,892,873 CCR under-recovery for the period January 2004 through December 2004 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 2004 and re-estimated data for the period July through December 2004. It reflects \$52.5 million of incremental power plant security costs for 2004, which is \$38.8 million more than originally projected. The supporting documentation is contained in the prepared testimony and exhibits of FPL witnesses K.M. Dubin and John R. Hartzog, which are being filed together with the Petition and incorporated herein.

WHEREFORE, Florida Power & Light Company respectfully requests the Commission to approve the \$182,196,299 under-recovery as the estimated/actual FCR true-up amount for the period January 2004 through December 2004, and to approve the \$73,892,873 under-recovery as the estimated/actual CCR true-up amount for the period January 2004 through December 2004.

Respectfully submitted,

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By: Karel M. Dubin for JTB  
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 040001-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 2004 through December 2004 has been furnished by overnight delivery or U.S. Mail this 9<sup>th</sup> day of August, 2004, to the following:

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By: John T. Butler per JTB  
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