

ORIGINAL

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Cc: Jenkins, Alan
Subject: Electronic Filing-Docket No. 050045-EI
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The attached electronic filing is in both Word and PDF formats. Please contact me if you cannot open the attachments or if there is anything further we need to do to file this pleading.

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b. Docket No. 050045-EI and 050188-EI re Petition for Rate Increase by Florida Light and Power Company

c. Document being filed on behalf of the Commercial Group

DMP 4 Total number of pages - The Commercial Group's Prehearing Statement-23 pages

COM 5 The document attached for electronic filing - The Commercial Group's Prehearing Statement

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ORIGINAL

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by)
Florida Power & Light Company.)
_____)

Docket No: 050045-EI

In re: 2005 comprehensive depreciation)
Study by Florida Power & Light Company.)
_____)

Docket No. 050188-EI

Filed: July 28, 2005

THE COMMERCIAL GROUP'S PREHEARING STATEMENT

The Commercial Group (hereinafter "CG"), pursuant to Order No. PSC-05-0518-PCO-EI, files with the Florida Public Service Commission (hereinafter the "PSC" or the "Commission"), its Prehearing Statement in connection with Florida Power & Light Company's ("FPL's") Petition for Rate Increase, and states:

I. CG WITNESSES

Witnesses

Subject Matter

James Selecky

Addresses whether FPL's proposed storm reserve accrual. Grid Florida and new Turkey Point generation costs are appropriate. Compares FPL's proposed ROE of 12.3% with the 10.7% average received by electric utilities in 2004. Compares FPL's rates to other providers in the Southeast. Addresses how to improve on the class cost of service study proposed by FPL and how any rate increase should be applied. Addresses FPL's proposed High Load Factor rate schedule and proposes improvements to the schedule. Address the propriety of an ROE performance incentive based on the allegedly superior performance by FPL and the impact of the proposed rate increase on large commercial customers.

Teresa Civic and Jess Galura

ATLANTA:4748141.1

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FPSC-COMMISSION CLERK

II. EXHIBITS

| Exhibit | Description | Sponsoring Witness |
|---------|---|--------------------|
| JTS-1 | The Regulatory Research Associates, Inc. Regulatory Focus dated January 14, 2005 | James Selecky |
| JTS-2 | EEl Typical Bill Cost for Residential, Commercial, and Industrial Users | James Selecky |
| JTS-3 | FPL Classification of Distribution Plant Table | James Selecky |
| JTS-4 | FPL Allocation of Proposed Base Rate Increase Twelve Months Ending December 16, 2006 | James Selecky |
| JTS-5 | FPL Allocation of Proposed Base Rate Increase as a Percent of Total System Average Increase Twelve Months Ending December 31, 2006 | James Selecky |
| JTS-6 | FPL Comparison of Present and Proposed Rates CS-1, CS-2, GSD-1, GSLD-1 and GSLD-2 Twelve Months Ending December 31, 2006 | James Selecky |
| JTS-7 | Comparison of Unit Cost and Rates at Present & Proposed for Rates CS-1, CS-2, GSD-1, GSLD-1 and GSLD-2 Twelve Months Ending December 31, 2006 | James Selecky |

In addition to the above pre-filed exhibits, CG reserves the right to utilize any exhibit introduced by any other party. CG additionally reserves the right to introduce any additional exhibit necessary for rebuttal, cross-examination or impeachment at the final hearing.

III. STATEMENT OF BASIC POSITION

Based on its experience with electric utility providers across the country, the Commercial Group has found FPL's service to be adequate but not superior to that of other providers to the extent that FPL deserves an ROE incentive adder. One of the significant ways to evaluate the service provided by any provider is to compare its rates versus other providers. An independent analysis by the Edison Electric Institute and the Commercial Group's own experience show that FPL's commercial rates are already relatively higher than many comparable utilities and should not be increased further. The quality of service FPL provides to members of the Commercial Group also is not superior nor do FPL's rate schedule offerings fit well the load profiles of its large commercial customers. That being said, the Commercial Group applauds FPL for its proposed High Load Factor rate schedule, although the load factors break-even points for the schedule should be lowered from 70% to 65% or less in order to make it useful to commercial customers.

IV. ISSUES AND POSITIONS

TEST YEAR AND FORECASTING

- ISSUE 1:** Is FPL's projected test period of the twelve months ending December 31, 2006 appropriate?
Yes.
- ISSUE 2:** Are FPL's forecasts of customer growth, kWh by revenue class, and system KW for the 2006 projected test year appropriate?
Agree with the Florida Retail Federation ("FRF").
- ISSUE 3:** Is the company's forecast adjustment to its growth and sales projections associated with the 2004 hurricanes appropriate and if not, what adjustments are appropriate to the test year?
Agree with the FRF.
- ISSUE 4:** Are FPL's forecasts of billing determinants by rate class for the 2006 projected test year appropriate?
Agree with the FRF.

QUALITY OF SERVICE

- ISSUE 5:** Is FPL's pole inspection, repair, and replacement program sufficient for the purpose of providing reasonable transmission and distribution system protection?
No position at this time.
- ISSUE 6:** Is FPL's vegetation management program sufficient for the purpose of providing reasonable transmission and distribution system protection?
Agree with the FRF.
- ISSUE 7:** Is the quality and reliability of electric service provided by FPL adequate?
No position on the ultimate issue, but in the CG's experience, FPL's electric service has been adequate.

DEPRECIATION STUDY

- ISSUE 8:** Is FPL's \$329.75 million accrued unassigned discretionary balance allocation appropriate based upon the approved settlement agreement in Order No. PSC-02-0502-AS-EI?
No position at this time.

- ISSUE 9:** Has FPL correctly calculated net salvage ratios? If not, what method should be used, and what impact does this have?
No position at this time.
- ISSUE 10:** What are the amounts of FPL's reserve deficiencies and reserve surpluses?
No position at this time.
- ISSUE 11:** What are the appropriate recovery/amortization schedules for any depreciation reserve excess or surplus?
No position at this time.
- ISSUE 12:** What are the appropriate depreciation rates and recovery/amortization schedules?
No position at this time.
- ISSUE 13:** Should the current amortization of investment tax credits and flow back of excess deferred income taxes be revised to reflect the approved depreciation rates and recovery schedules?
No position at this time.
- ISSUE 14:** What should be the implementation date for FPL's depreciation rates and recovery/amortization schedules?
No position at this time.

RATE BASE

- ISSUE 15:** Should any adjustments be made to the company's projected plant balances for differences between budgeted and actual amounts?
Yes
- ISSUE 16:** Should any adjustments be made to the projected construction costs of Manatee Unit 3 and Martin Unit 8?
Agree with the FRF.
- ISSUE 17:** Should adjustments to plant in service be made for the rate base effects of FPL's transactions with affiliated companies?
Agree with the FRF.
- ISSUE 18:** Should the capitalized items currently approved for recovery through the Environmental Cost Recovery Clause (ECRC) be included in rate base?
Agree with the FRF.

- ISSUE 19:** Should any portion of capital and expense items requested in the storm docket be included in base rates?
No position at this time.
- ISSUE 20:** Is FPL's requested level of Plant in Service in the amount of \$23,394,793,000 (\$23,591,644,000 system) for the projected test year appropriate?
No.
- ISSUE 21:** Should any adjustments be made to the company's projected accumulated provision for depreciation related to FPL's inclusion of dismantling costs for the Fort Myers Unit No. 3, Martin Unit No. 8 and Manatee Unit No. 3?
Agree with the FRF.
- ISSUE 22:** Is FPL's requested level of Accumulated Depreciation and Accumulated Amortization in the amount of \$11,700,179,000 (\$11,803,581,000 system) for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
Agree with the FRF.
- ISSUE 23:** Should any of the Company's 2006 projected construction work in progress (CWIP) balance be included in rate base?
Agree with the FRF.
- ISSUE 24:** Is FPL's requested level of Construction Work in Progress (CWIP) in the amount of \$522,642,000 (\$525,110,000 system) for the projected test year appropriate?
Agree with the FRF.
- ISSUE 25:** Is FPL's requested level of Property Held for Future Use in the amount of \$135,593,000 (\$136,585,000 system) for the projected test year appropriate?
Agree with the FRF.
- ISSUE 26:** Has FPL properly estimated its accumulated provision for uncollectibles?
Agree with the FRF.
- ISSUE 27:** Is FPL's level of Account 151, Fuel Stock, in the amount of \$138,686,000 (\$140,930,000 system) for the 2006 projected test year appropriate?
Agree with the FRF.

- ISSUE 28: Should the Commission exclude from rate base the cost associated with FPL's \$25 million purchase of a gas turbine from FPLE to be used for spare parts?
Agree with the FRF.
- ISSUE 29: Should unamortized rate case expense be included in working capital?
Agree with the FRF.
- ISSUE 30: Should the net overrecovery/underrecovery of fuel, capacity, conservation, environmental cost recovery clause and the storm damage surcharge recovery factor for the test year be included in the calculation of working capital allowance for FPL?
Agree with the FRF.
- ISSUE 31: Should derivative assets and derivative liabilities be include in working capital?
Agree with the FRF.
- ISSUE 32: Should the payable to the nuclear decommission reserve fund and the St. Johns River Power Park (SJRPP) accelerated recovery credit be included in the working capital calculation?
Agree with the FRF.
- ISSUE 33: Should an adjustment be made to working capital associated with the gain on sale of emission allowances regulatory liability?
Agree with the FRF.
- ISSUE 34: What is the appropriate level of balances in, and level of contribution to, balance sheet reserve accounts?
Agree with the FRF.
- ISSUE 35: Is FPL's requested level of Working Capital Allowance in the amount of \$57,673,000 (61,428,000 system) for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
Agree with the FRF.
- ISSUE 36: Is FPL's requested level of rate base in the amount of \$12,410,522,000 (\$12,511,188,000 system) for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
No. No position on total rate base at this time.

BENCHMARKING

- ISSUE 37: How does FPL compare to other utilities in the provision of customer service in the areas of cost and quality of service?
Higher cost. Similar, not superior service quality.
- ISSUE 38: How does the reliability of FPL's service compare to other utilities in the areas of cost and quality of service?
Higher cost. Generally comparable quality of service.
- ISSUE 39: How does the operational reliability and performance of FPL's Fossil Generation compare to other utilities in the areas of cost and quality of service?
No position at this time.
- ISSUE 40: How does the operational reliability and performance of FPL's Nuclear Generation compare to other utilities in the areas of cost and quality of service?
No position at this time.
- ISSUE 41: How does FPL's performance in controlling O&M costs in general compare to other utilities?
No position at this time.
- ISSUE 42: What conclusions should the Commission draw from the benchmarking comparisons and analyses presented by FPL?
No position at this time.

COST OF CAPITAL

- ISSUE 43: Should debit accumulated deferred income taxes be included as a reduction to cost free capital?
No position at this time.
- ISSUE 44: What is the appropriate amount of accumulated deferred taxes to include in the capital structure?
No position at this time.
- ISSUE 45: What is the appropriate amount and cost rate of the unamortized investment tax credits to include in the capital structure?
No position at this time.

- ISSUE 46:** What is the appropriate cost rate for short-term debt for the projected test year?
No position at this time.
- ISSUE 47:** What is the appropriate cost rate for long-term debt for the projected test year?
No position at this time.
- ISSUE 48:** In setting FPL's return on equity (ROE) for use in establishing FPL's revenue requirements and authorized range, should the Commission make an adjustment to reflect FPL's performance? If so, what should be the amount of the adjustment?
No.
- ISSUE 49:** What is the appropriate cost rate for common equity to use in establishing FPL's revenue requirement for the projected test year?
No position at this time, except that Mr. Selecky's testimony provides evidence that FPL's proposed ROE is higher than recent ROE's other utilities have received.
- ISSUE 50:** What is the appropriate capital structure for FPL?
No position at this time.
- ISSUE 51:** What is the appropriate weighted average cost of capital including the proper components, amounts and cost rates associated with the capital structure? This is a calculation based upon the decisions in preceding issues.
No position at this time.

NET OPERATING INCOME

- ISSUE 52:** Are FPL's estimated revenues for sales of electricity by rate class appropriate, if not what adjustments are should be made?
Agree with the FRF.
- ISSUE 53:** Should the Commission include gas margin revenue from FPL Energy Services in the test year?
Agree with the FRF.
- ISSUE 54:** Should the Commission include the administrative fee revenue associated with margin trading performed by FPL on behalf of FPL Energy Services?
Agree with the FRF.

- ISSUE 55: Should revenues be adjusted to include profits, if any, from the FPLES Connect Services program?
Agree with the FRF.
- ISSUE 56: Has FPL made the appropriate adjustments to remove the storm damage surcharge revenues and related expenses recoverable through the Storm Damage Surcharge Cost Recovery Factor approved by the Commission in Order No. PSC-05-0187-PCO-EI, Docket 041291-EI?
Agree with the FRF.
- ISSUE 57: Has FPL made the appropriate adjustments to remove the revenues and related expenses and capital costs recoverable through the Retail Cost Recovery Clauses (Fuel, Capacity, Environmental and Conservation)?
Agree with the FRF.
- ISSUE 58: Is FPL's forecasted level of Total Operating Revenues in the amount of \$3,888,233,000 (\$3,913,736,000 system) for the projected test year appropriate?
Agree with the FRF.
- ISSUE 59: Should an adjustment be made to FPL's requested level of security expenses related to the increased threat of terrorist attacks since September 11, 2001?
Agree with the FRF.
- ISSUE 60: What are the appropriate management fee allocation factors for use by FPL for the test year?
Agree with the FRF.
- ISSUE 61: What adjustments, if any, should be made to the management fees included in FPL's test year expenses?
Agree with the FRF.
- ISSUE 62: Should an adjustment be made to allocate test year administrative and general expenses associated with the New England Division Seabrook substation assets purchased by FPL in 2004, and if so, how much?
Agree with the FRF.
- ISSUE 63: Should an adjustment be made to adjust test year O&M expense charges from FiberNet to FPL?
Agree with the FRF.

- ISSUE 64:** Should any other adjustments be made for the net operating income effects of FPL's transactions with affiliated companies?
Agree with the FRF.
- ISSUE 65:** Is FPL's level of Generation/Power Supply O&M expense (Accounts 500-514, 517-532, 546-554 and 555-557) in the amount of \$575,801,000 (\$580,851,000 system) for the 2006 projected test year appropriate?
Agree with the FRF.
- ISSUE 66:** Is FPL's requested expense for the GridFlorida RTO in Account 565 in the amount of \$102,632,000 (\$104,000,000 system) for the 2006 projected test year appropriate?
No.
- ISSUE 67:** Is FPL's level of Transmission O&M Expenses (Accounts 560-573) in the amount of \$145,396,000 (\$154,238,000 system) for the 2006 projected test year appropriate?
No position at this time, except with respect to Issue 66.
- ISSUE 68:** Is FPL's level of Distribution O&M Expenses (Accounts 580-598) in the amount of \$254,987,000 (\$254,995,000 system) for the 2006 projected test year appropriate?
Agree with the FRF.
- ISSUE 69:** Is the amount of postage projected in the 2006 test year in Account 903, Customer Records and Collection Expenses, appropriate? If not, what are the appropriate system and jurisdictional adjustments?
Agree with the FRF.
- ISSUE 70:** Is FPL's level of Account 904 - Uncollectible Accounts expense in the amount of \$14,569,000 (\$14,569,000 system) for the 2006 projected test year appropriate?
Agree with the FRF.
- ISSUE 71:** Is FPL's level of Automatic Meter Reading pilot project expense for the test year appropriate, and if not, what adjustments should be made to plant in service, accumulated depreciation, depreciation expense and O&M expense?
Agree with the FRF.
- ISSUE 72:** Is FPL's level of Total Customer Accounts Expense (Accounts 901-905) in the amount of \$124,248,000 (\$124,262,000 system) for the 2006 projected test year appropriate?
Agree with the FRF.

- ISSUE 73:** Should an adjustment be made to remove image building or other inappropriate advertising expenses?
Agree with the FRF.
- ISSUE 74:** Is FPL's level of Total Customer Service and Information Expense (Accounts 907-910) in the amount of \$14,302,000 (\$14,302,000 system) for the 2006 projected test year appropriate?
Agree with the FRF.
- ISSUE 75:** Is FPL's level of Total Demonstrating and Selling expenses (Accounts 911-916) in the amount of \$18,585,000 (\$18,585,000 system) for the 2006 projected test year appropriate?
Agree with the FRF.
- ISSUE 76:** Is FPL's requested \$120,000,000 annual accrual for storm damage for the projected test year appropriate?
No.
- ISSUE 77:** Is \$500,000,000 an appropriate reserve goal for Account 228.1, Accumulated Provision for Property Insurance – Storm Damage?
Agree with the FRF.
- ISSUE 78:** Is FPL's level of Account 920 - Administrative and General Salaries expense in the amount of \$145,276,000 (\$145,942,000 system) for the 2006 projected test year appropriate?
No position at this time.
- ISSUE 79:** Should an adjustment be made to Account 928, Regulatory Commission Expense, for rate case expense for the projected test year and what is the appropriate amortization period?
No position at this time.
- ISSUE 80:** Is FPL's level of Account 928 - Regulatory Commission Expense in the amount of \$7,741,000 (\$7,741,000 system) appropriate for the 2006 projected test year?
No position at this time.
- ISSUE 81:** Is FPL's proposed recovery of charitable contributions in the amount of \$1,538,000 (\$1,545,000 system) for the 2006 test year appropriate?
No position at this time.

- ISSUE 82: Is FPL's level of medical insurance expense in the amount of \$79,612,000 for the test year appropriate, and if not, what adjustment should be made?
No position at this time.
- ISSUE 83: Is FPL's level of pension credit expense in the amount of negative (\$68,663,000) for the test year appropriate, and if not, what adjustment should be made?
No position at this time.
- ISSUE 84: Is FPL's level of Nuclear Passport Replacement expense in the amount of \$6,940,000 for the test year appropriate, and if not, what adjustment should be made?
No position at this time.
- ISSUE 85: Is FPL's level of Directors and Officers Liability insurance expense in the amount of \$8,468,340 for the test year appropriate, and if not, what adjustment should be made?
No position at this time.
- ISSUE 86: Is FPL's level of Executive Department contingencies expense in the amount of \$1.7 million for the test year appropriate, and if not, what adjustment should be made?
No position at this time.
- ISSUE 87: Is FPL's level of Total Administrative and General Expense (Accounts 920-935) in the amount of \$457,872,000 (\$462,252,000 system) for the 2006 projected test year appropriate?
No position at this time.
- ISSUE 88: Should the O&M expense items currently approved for recovery through the Environmental Cost Recovery Clause be included in base rates?
No position at this time.
- ISSUE 89: Is FPL's level of salaries for the 2006 projected test appropriate? If not, what adjustments are necessary?
No position at this time.
- ISSUE 90: Is FPL's level of employee benefits for the 2006 projected test appropriate? If not, what adjustments are necessary?
No position at this time.

- ISSUE 91: Are FPL's O&M Expenses of \$1,591,191,000 (\$1,609,486,000 system) for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
No.
- ISSUE 92: Is FPL's level of nuclear decommissioning expense in the amount of \$78,179,000 (\$78,523,000 system) for the test year appropriate, and if not, what adjustment should be made?
No position at this time.
- ISSUE 93: What adjustments, if any, should be made to the fossil dismantlement accrual?
No position at this time.
- ISSUE 94: Is FPL's Depreciation and Amortization Expense of \$924,323,000 (\$931,710,000 system) for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
No.
- ISSUE 95: What is the appropriate amount of gain on sales and disposition of properties for the test year?
No position at this time.
- ISSUE 96: Is FPL's adjustment to remove Gross Receipts Tax from base rates appropriate and should Gross Receipts Tax be shown as a separate line item on the customer's bill?
No position at this time.
- ISSUE 97: Is FPL's Taxes Other Than Income of \$299,798,000 (\$301,922,000 system) for the projected test year appropriate?
No position at this time.
- ISSUE 98: Should a Parent Debt Adjustment be made for the projected test year and if so, what is the appropriate amount of the adjustment?
No position at this time.
- ISSUE 99: Has FPL appropriately calculated the adjustment to taxable income to reflect the domestic manufacturer's tax deduction which was attributable to the American Jobs Creation Act?
No position at this time.
- ISSUE 100: What adjustments, if any, are appropriate to account for interest synchronization?
No position at this time.

ISSUE 101: Is FPL's Income Tax Expense of \$291,326,000 (\$289,545,000 system) which includes current and deferred income taxes and interest reconciliation for the projected test year appropriate?
No position at this time.

ISSUE 102: Is FPL's projected Total Operating Expenses of \$3,105,671,000 (\$3,140,480,000 system) for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
No.

ISSUE 103: Is FPL's Net Operating Income (NOI) of \$782,562,000 (\$782,041,000 system) for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
No.

REVENUE REQUIREMENTS

ISSUE 104: What is the appropriate projected test year revenue expansion factor and the appropriate net operating income multiplier, including the appropriate elements and rates for FPL?
No position at this time.

ISSUE 105: Is FPL's requested annual operating revenue increase of \$384,580,000 for the projected test year appropriate? This is a calculation based upon the decisions in preceding issues.
No.

COST OF SERVICE AND RATE DESIGN

ISSUE 106: Is FPL's proposed separation of costs and revenues between the wholesale and retail jurisdictions appropriate?
No position at this time.

ISSUE 107: What is the appropriate cost of service study to be used in designing FPL's rates?
Distribution costs should be allocated on the basis of demand and customer.

ISSUE 108: How should a change in revenue requirements be allocated among the customer classes?
No rate class should receive an allocation of any rate increase that is greater than 150% of the system average.

- ISSUE 109:** What is the appropriate adjustment to account for the increase in unbilled revenue due to any recommended rate increase?
No position at this time.
- ISSUE 110:** What are the appropriate demand charges?
No position at this time.
- ISSUE 111:** What are the appropriate energy charges?
No position at this time.
- ISSUE 112:** How should FPL's time-of-use rates be designed?
No position at this time.
- ISSUE 113:** What are the appropriate customer charges?
No position at this time.
- ISSUE 114:** What are the appropriate service charges?
No position at this time.
- ISSUE 115:** What are the appropriate lighting rate schedule charges?
No position at this time.
- ISSUE 116:** Is FPL's proposal to eliminate the option allowing lump-sum payment for time of use metering equipment appropriate?
No position at this time.
- ISSUE 117:** What is the appropriate monthly fixed charge carrying rate to be applied to the installed cost of customer-requested distribution equipment for which there are no tariffed charges?
No position at this time.
- ISSUE 118:** 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?
No position at this time.
- ISSUE 119:** What are the appropriate termination factors to be applied to the in-place value of customer-rented distribution substations to calculate the termination fee?
No position at this time.

- ISSUE 120:** What are the appropriate termination factors to be applied to the total installed cost of facilities when customers terminate their lighting agreement prior to the expiration of the contract term?
No position at this time.
- ISSUE 121:** 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?
No position at this time.
- ISSUE 122:** What are the appropriate per-month facilities charges under FPL's PL-1 and SL-3 rate schedules?
No position at this time.
- ISSUE 123:** What is the appropriate monthly per kW credit to be provided customers who own their own transformers pursuant to the Transformation Rider?
No position at this time.
- ISSUE 124:** What is the appropriate level and design of the charges, and terms and conditions, under the Standby and Supplemental Service (SST-1) rate schedule?
No position at this time.
- ISSUE 125:** What is the appropriate level and design of the charges under the Interruptible Standby and Supplemental Service (ISST-1) rate schedule?
No position at this time.
- ISSUE 126:** What are the appropriate curtailment credits?
No position at this time.
- ISSUE 127:** Should the curtailable rate schedule remain open and what credit, if any, should be provided under curtailable rate schedule?
No position at this time.
- ISSUE 128:** What are the appropriate administrative charges under the Commercial/Industrial Demand Reduction rider?
No position at this time.
- ISSUE 129:** Should the Commission approve FPL's proposal to change the breakpoint applicable to its inverted residential rate from 750 to 1,000 kilowatt hours?
No position at this time.

- ISSUE 130: Should the GSD-1, GSLD-1, GSLD-2, CS-1, and CS-2 rate schedules (and their TOU equivalents) have the same demand and energy charges?
No.
- ISSUE 131: Should the 10 kW exemption for the GSD-1, GSD(T)-1 and CILC-G rate schedule be eliminated?
No position at this time.
- ISSUE 132: Should the Wireless Internet Rate (WIES-1) be closed to new customers effective January 1, 2006 and existing customers transferred to the otherwise applicable rate effective January 1, 2007?
No position at this time.
- ISSUE 133: Should FPL's proposal to close its Premium Lighting rate schedule to new customers and replace it with a new Decorative Lighting rate schedule be approved?
No position at this time.
- ISSUE 134: Should FPL's proposal to offer an optional GS-1 constant usage rate be approved and what should be the methodology used for determining the rate?
No position at this time.
- ISSUE 135: Should FPL's proposal to offer an optional high load factor TOU rate including the load factor breakeven point and the methodology for determining the rate be approved?
HLF Rate should be approved based on a 65% or lower Load Factor Break Even Point.
- ISSUE 136: Should FPL's proposal to offer an optional seasonal demand TOU rider and what should be the methodology used for determining the rate be approved?
No position at this time.
- ISSUE 137: What is the appropriate effective date for new base rates and charges established based on the 2006 projected test year?
Agree with the FRF.

INCREMENTAL REVENUE REQUIREMENT
FOR THE 2007 TURKEY POINT UNIT 5 ADJUSTMENT

- ISSUE 138:** Should the Commission approve FPL's request to allow an additional base rate increase in 2007 to correspond with the in-service date of the Turkey Point Unit 5?
No.
- ISSUE 139:** Are FPL's forecasts of customers, kWh by revenue class, and system KW for the 2007 Turkey Point 5 Adjustment reasonable?
Agree with the FRF.
- ISSUE 140:** Are FPL's forecasts of billing determinants by rate class for the Turkey Point 5 Adjustment appropriate?
Agree with the FRF.
- ISSUE 141:** Is FPL's level of Plant in Service in the amount of \$571,312,000 (\$580,300,000 system) for the projected year ended May 31, 2008, for the 2007 Turkey Point 5 Adjustment appropriate?
Agree with the FRF.
- ISSUE 142:** Is FPL's level of Accumulated Provision for Depreciation and Amortization in the amount of \$15,572,000 (\$15,818,000 system) for the projected year ended May 31, 2008, for the 2007 Turkey Point 5 Adjustment appropriate?
Agree with the FRF.
- ISSUE 143:** What is the appropriate weighted average cost of capital including the proper components, amounts and cost rates associated with the capital structure for FPL's 2007 Turkey Point 5 Adjustment?
Agree with the FRF.
- ISSUE 144:** Is FPL's level of Total Operation and Maintenance Expenses for the new 2007 Turkey Point 5 unit in the amount of \$4,448,000 (\$4,519,000 system) for the 2007 Turkey Point 5 Adjustment appropriate?
Agree with the FRF.
- ISSUE 145:** Is FPL's Depreciation and Amortization Expense of \$31,143,000 (\$31,635,000 system) for the 2007 Turkey Point 5 Adjustment appropriate?
Agree with the FRF.

- ISSUE 146:** Is FPL's level of Taxes Other Than Income Taxes in the amount of \$11,367,000 (\$11,546,000 system) for the 2007 Turkey Point 5 Adjustment appropriate?
Agree with the FRF.
- ISSUE 147:** Are FPL's Income Tax expenses in the amount of negative \$25,719,000 (negative \$26,124,000 system) for the 2007 Turkey Point 5 Adjustment appropriate? (This is a fallout issue.)
Agree with the FRF.
- ISSUE 148:** What are the appropriate revenue expansion factors including the appropriate elements and rates for FPL for the 2006 projected test year and the 2007 Turkey Point 5 Adjustment?
Agree with the FRF.
- ISSUE 149:** What is the appropriate incremental annual operating revenue requirement for the 2007 Turkey Point 5 Adjustment?
Agree with the FRF.
- ISSUE 150:** Is FPL's proposed method for the recovery of the costs of Turkey Point Unit 5 appropriate?
Agree with the FRF.
- ISSUE 151:** What is the appropriate effective date for an adjustment to FPL's base rates to reflect the addition of Turkey Point Unit 5?
Agree with the FRF.
- ISSUE 152:** Should unrecovered AFUDC costs resulting from the mismatch between the time Turkey Point Unit 5 goes into service and customers are billed for service from the unit be recovered through the fuel adjustment clause?
Agree with the FRF.

OTHER ISSUES

- ISSUE 153:** Should the Commission approve FPL's request to move into base rates the security costs that result from heightened security requirements since September 11, 2001, from the Capacity Cost Recovery Clause?
No position at this time.
- ISSUE 154:** Should FPL continue to seek recovery of incremental security costs above the amount included in base rates through the Capacity Cost Recovery Clause? If so, what mechanism should be used to determine the incremental security costs?
No position at this time.

ISSUE 155: Should the Capacity charges and revenues associated with SJRPP that are currently in base rates be removed from base rates and included in the Capacity Clause?
No position at this time.

ISSUE 156: Should the Commission approve FPL's request to transfer its 2006 projected incremental hedging costs from Fuel Clause recovery to base rate recovery?
No position at this time.

ISSUE 157: Should FPL be allowed to recover incremental hedging costs in excess of its base rate amount through the Fuel and Purchased Power Cost Recovery Clause, and if so, should netting be required in the clause for these costs?
No position at this time.

ISSUE 158: Should any annual under-spending from the amount of distribution vegetation management expenses ultimately approved the Commission be deferred and returned to the ratepayers in the future?
Agree with the FRF.

ISSUE 159: Should FPL be required to report to the Commission on a regular basis on its actual vegetation management expenditures?
Agree with the FRF.

ISSUE 160: 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, rate of return reports, and books and records that will be required as a result of the Commission's findings in this rate case?
Yes.

ISSUE 161: Should this docket be closed?
No position at this time.

V. STIPULATED ISSUES

The Commercial Group is not aware of any stipulated issues at this time.

VI. PENDING MOTIONS

The Commercial Group has no pending motions at this time.

VII. PENDING REQUESTS FOR CONFIDENTIAL CLASSIFICATION

None involving the Commercial Group at this time.

VIII. REQUIREMENTS OF THE PREHEARING ORDER THAT CANNOT BE MET

None that the Commercial Group is aware of.

XI. OTHER MATTERS

None at this time.

This 28th day of July, 2005.

MCKENNA LONG & ALDRIDGE LLP

By: /s/ Alan R. Jenkins
Alan R. Jenkins
Authorized Representative of
the Commercial Group

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CERTIFICATE OF SERVICE

I, Tracy R. Murchison, hereby certify that I have served the Commercial Group's Prehearing Statement upon the following parties in Docket Nos. 050045-EI and 050188-EI by email and by depositing a copy of same in the United States mail with sufficient postage, addressed as follows:

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This 28th day of July, 2005.

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