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August 8, 2005

**-VIA OVERNIGHT DELIVERY -**

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

**Re: Docket No. 050001-EI**

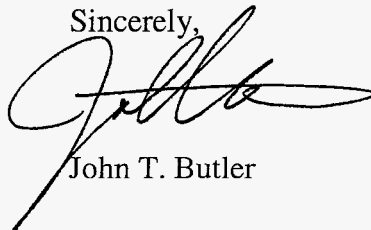
Dear Ms. Bayó:

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 the Fuel Cost Recovery and Capacity Cost Recovery Estimated/Actual True-Up for the Period January 2005 Through December 2005, 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 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

Enclosures

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

Miami West Palm Beach Tallahassee Naples Key West London Caracas São Paulo

DOCUMENT NUMBER-DATE

07736 AUG-9 03  
Rio de Janeiro Santo Domingo

FPSC-COMMISSION DE FERRE

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**IN RE:** Fuel and Purchased Power )  
Cost Recovery Clause with ) DOCKET NO. 050001-EI  
Generating Performance )  
Incentive Factor. ) Filed: August 9, 2005  
\_\_\_\_\_)

**PETITION FOR APPROVAL OF FUEL COST RECOVERY  
AND CAPACITY COST RECOVERY ESTIMATED/ACTUAL TRUE-UP  
FOR THE PERIOD JANUARY 2005 THROUGH DECEMBER 2005**

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 \$571,454,676 under-recovery, approval to spread recovery of said amount over two years, and approval of its estimated/actual Capacity Cost Recovery (“CCR”) true-up of \$12,294,835 under-recovery for the period January 2005 through December 2005. 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 7, 2005, which is 90 days after the filing of this petition.

2. The estimated/actual \$571,454,676 FCR under-recovery for the period January 2005 through December 2005 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 July 2005 and re-estimated data for the period August through December 2005. 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.

3. Order No. 13694, Docket No. 840001-EI, dated September 20, 1984 states “that when a utility becomes aware that its projected fuel revenues... will result in an over- or under-recovery in excess of 10% of its projected fuel costs for the period, the utility shall so advise the Commission through a filing promptly made....” FPL’s 2005 estimated/actual under-recovery of \$571,454,676 represents 14.6% of the Total Fuel and Net Power Transactions of \$3.926 billion originally projected for 2005 in FPL’s September 9, 2004 filing in Docket No 040001-EI. Therefore, through this petition FPL is notifying the Commission that it projects to exceed the 10% threshold described in Order No. 13694.

4. FPL’s total under-recovery is \$579,161,818. This consists of the \$571,454,676 estimated/actual under-recovery for 2005 plus the final under-recovery of \$7,707,142 for the period ending December 2004 filed on March 1, 2005. This total under-recovery of \$579,161,818 would normally be carried forward and included in the fuel factor for January through December 2006.

5. In order to mitigate the impact of this under-recovery on customer bills, FPL proposes to spread this under-recovery of \$579,161,818 over a two-year period. FPL proposes to include one-half of the total under-recovery of \$579,161,818, or \$289,580,909 in the calculation of the twelve-month levelized FCR factor for the January 2006 through December 2006 period. The remainder of the true-up under-recovery will be included for recovery in the levelized FCR factor for the January 2007 through December 2007 period.

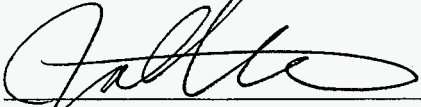
6. The estimated/actual \$12,294,835 CCR under-recovery for the period January 2005 through December 2005 was calculated in accordance with the methodology set forth in Order No. 25773 dated February 24, 1992. It is based on actual data for the period January through June 2005 and re-estimated data for the period July through December 2005. 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 (1) to approve the \$571,454,676 under-recovery as the estimated/actual FCR true-up amount for the period January 2005 through December 2005; (2) to approve inclusion of one-half of this amount, or \$289,580,909, in the calculation of the twelve-month levelized FCR factor for the January 2006 through December 2006 period, with the remainder to be included for recovery in the levelized FCR factor for the January 2007 through December 2007; and (3) to approve the \$12,294,835 under-recovery as the estimated/actual CCR true-up amount for the period January 2005 through December 2005.

Respectfully submitted,

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By:   
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 050001-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 2005 through December 2005 has been furnished by overnight delivery (\*) or U.S. Mail this 8<sup>th</sup> day of August, 2005, to the following:

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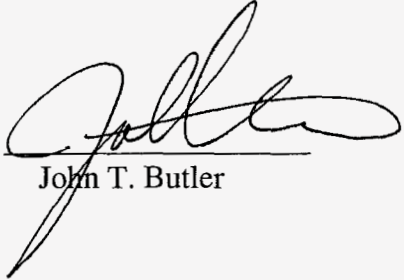
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