



ORIGINAL

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COMMISSION
CLERK

September 27, 2005

VIA HAND DELIVERY

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

Re: Petition for Approval of its Conservation Cost Recovery Factors
Docket No. 050002-EG

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are the original and seven (7) copies of FPL's Petition for Approval of its Conservation Cost Recovery Factors together with a diskette containing the electronic version of same.

Also enclosed for filing are the original and fifteen (15) copies of the Testimony and Exhibits of Ken Getchell. Please contact me if you or your Staff have any questions regarding this filing.

Sincerely,

Natalie F. Smith

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- SCR _____
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- SEC 1
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FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Energy Conservation Cost)
Recovery Clause)**
_____)

Docket No. 050002-EG

Filed: September 27, 2005

**PETITION OF FLORIDA POWER & LIGHT COMPANY FOR
APPROVAL OF ITS CONSERVATION COST RECOVERY FACTORS**

Florida Power & Light Company ("FPL"), pursuant to Section 366.82(2), Florida Statutes (2001), Rule 25-17.015, Florida Administrative Code, Order No. PSC-93-0709-FOF-EG, and Order No. PSC-98-1084-FOF-PU, hereby petitions the Florida Public Service Commission ("Commission") for approval of the conservation cost recovery factors shown on Appendix I, attached hereto and incorporated by reference, to be applied during the January 2006 through December 2006 billing period and to continue in effect thereafter until modified by the Commission. The grounds for this Petition are:

1. The name and the address of the affected agency are:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

2. FPL's address is 9250 West Flagler Street, Miami, Florida 33174.

Correspondence, notices, orders, motions and other documents concerning this petition should be sent to:

William G. Walker, III
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, Florida 32301
(850) 521-3900 Telephone
(850) 521-3939 Facsimile

R. Wade Litchfield, Associate General Counsel
Natalie F. Smith, Principal Attorney
Attorneys for Florida Power & Light Company
700 Universe Boulevard
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3. FPL is an investor-owned electric utility regulated by the Commission pursuant to Chapter 366, Florida Statutes. FPL is subject to the Florida Energy Efficiency Conservation Act ("FEECA"), and its Energy Conservation Cost Recovery ("ECCR") clause is subject to the Commission's jurisdiction. By rule, Florida Administrative Code 25-17.015(1)(d), and Order Nos. PSC-93-0709-FOF-EG, PSC-93-1845-FOF-EG, and PSC-98-1084-FOF-PU (among others), the Commission has authorized conservation cost recovery factors. FPL's substantial interest in the recovery of its conservation-related expenditures will be affected by this proceeding.

4. FPL's conservation cost recovery factors were calculated consistent with the order establishing annual conservation cost recovery factors, Order No. PSC-93-0709-FOF-EG, and the order establishing the ECCR cost of service methodology, Order No. PSC-93-1845-FOF-EG. The factors are designed to recover the projected conservation program expenses for the period January 2006 through December 2006 adjusted for (a) the estimated true-up for the period January 2005 through December 2005, and (b) the final conservation true-up for the period January 2004 through December 2004, as well as an interest provision for both true-ups. The calculation of these factors and the supporting documentation are contained in the prepared testimony of FPL witness Kenneth Getchell and in Exhibit KG-2, which are being filed with and are incorporated by reference in this Petition. Exhibit KG-2 consists of the conservation cost recovery forms that FPL and other utilities were directed to file by the Commission's Electric and Gas Department memorandum dated June 17, 1982.

5. FPL projects total conservation program costs, net of all program revenues, of \$147,737,095 for the period January 2006 through December 2006. The net true-up is an overrecovery of \$5,671,733, which includes the final conservation true-up overrecovery for

January 2004 through December 2004 of \$4,091,188 that was reported in FPL's Schedule CT-1 filed May 2, 2005. Decreasing the projected costs of \$147,737,095 by the net true-up overrecovery of \$5,671,733 results in a total of \$142,065,362 of conservation costs (plus applicable taxes) to be recovered during the January 2006 through December 2006 period. Total recoverable conservation costs and applicable taxes, net of program revenues and reflecting any applicable over or under recoveries are \$142,111,566, and the conservation cost recovery factors for which FPL seeks approval are designed to recover this level of costs and taxes.

6. FPL is not aware of any disputed issues of fact. This petition is not in response to a prior agency decision, so the petitioner cannot state when and how it "received notice of the agency decision." The Commission should approve the conservation cost recovery factors shown on Appendix I. FPL is entitled to relief pursuant to Section 366.82(2), Florida Statutes (2003), Rule 25-17.015, Florida Administrative Code, Order No. PSC-93-0709-FOF-EG, and Order No. PSC-98-1084-FOF-PU.

WHEREFORE, FPL respectfully petitions the Commission to approve for the billing period January 1, 2006 through December 31, 2006, and to continue in effect thereafter until modified by the Commission, the conservation cost recovery factors shown on Appendix I.

Respectfully submitted,

R. Wade Litchfield, Associate General Counsel
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Attorneys for Florida Power & Light Company

By: 

NATALIE F. SMITH

APPENDIX I

FLORIDA POWER & LIGHT COMPANY CONSERVATION COST RECOVERY FACTORS January 2006 through December 2006

Rate Class	Conservation Recovery Factor \$/kWh
RS1/RST1	0.00142
GS1/GST1	0.00137
GSD1/GSDT1/HLTF(21-499 kW)	0.00129
OS2	0.00122
GSLD1/GSLDT1/CS1/CST1/HLTF(500-1,999 kW)	0.00122
GSLD2/GSLDT2/CS2/CST2/HLTF(2,000 + kW)	0.00117
GSLD3/GSLDT3/CS3/CST3	0.00107
ISST1D	0.00111
ISST1T	0.00082
SST1T	0.00082
SST1D1/SST1D2/SST1D3	0.00111
CILC D/CILC G	0.00113
CILC T	0.00106
MET	0.00133
OL1/SL1/PL1	0.00071
SL2, GSCU1	0.00109
TOTAL	0.00134

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Petition for Approval of its Conservation Cost Recovery Factors and the Testimony and Exhibits of Kenneth Getchell was served by Hand Delivery (when indicated with an *) or mailed this 27th day of September, 2005 to the following:

Martha Carter Brown*
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Office of Public Counsel
Harold McLean, Esq.
Charles J. Beck, Deputy Public Counsel
Patricia Christensen, Esq.
c/o The Florida Legislature
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Tallahassee, FL 32399-1400

Beggs & Lane Law Firm
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P.O. Box 12950
Pensacola, FL 32591-2950

Florida Industrial Power Users Group
c/o John W. McWhirter, Jr.
McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Hopping Law Firm
Gary V. Perko, Esq.
P.O. Box 6526
Tallahassee, FL 32314

Florida Public Utilities Company
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West Palm Beach, FL 33402-3395

Gulf Power Company
Ms. Susan D. Ritenour
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Tallahassee, FL 32302-1876

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Tallahassee, FL 32302

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P.O. Box 14042
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Tampa Electric Company
Ms. Angela Llewellyn
Regulatory Affairs
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Tampa, FL 33601-0111

By: _____


NATALIE F. SMITH