



September 14, 2007

**VIA HAND DELIVERY**

Ms. Ann Cole  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
07 SEP 14 AM 8:58  
COMMISSION  
CLERK

Re: Docket 070002-EG  
Energy Conservation Cost Recovery Clause

Dear Ms. Cole:

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.

08344-07

Also enclosed for filing are the original and fifteen (15) copies of the Testimony and Exhibits of Kenneth Getchell.

08345-07

Please contact me if you or your Staff have any questions regarding this filing.

Sincerely,

Natalie F. Smith

- CMP \_\_\_\_\_
- COM 5
- CTR 1
- ECR diskette NFS:nn
- GCL 1 Enclosures
- OPC \_\_\_\_\_
- RCA 1
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

08344 SEP 14 8

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Energy Conservation Cost            )**  
          **Recovery Clause                            )**  
\_\_\_\_\_)

**Docket No. 070002-EG**

**Filed: September 14, 2007**

**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 2008 through December 2008 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  
Juno Beach, FL 33408  
(561) 691-7100 Telephone  
(561) 691-7135 Facsimile

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 2008 through December 2008 adjusted for (a) the estimated true-up for the period January 2007 through December 2007, and (b) the final conservation true-up for the period January 2006 through December 2006, 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 \$170,007,102 for the period January 2008 through December 2008. The net true-up is an over recovery of \$15,779,417, which includes the final conservation true-up over recovery for January

2006 through December 2006 of \$161,769 that was reported in FPL's Schedule CT-1 filed May 2, 2007. Decreasing the projected costs of \$170,007,102 by the net true-up over recovery of \$15,779,417 results in a total of \$154,227,685 of conservation costs (plus applicable taxes) to be recovered during the January 2008 through December 2008 period. Total recoverable conservation costs and applicable taxes, net of program revenues and reflecting any applicable over or under recoveries are \$154,277,523, 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, 2008 through December 31, 2008, 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  
Natalie F. Smith, Principal Attorney  
Florida Power & Light Company  
Law Department  
700 Universe Boulevard  
Juno Beach, FL 33408  
Tele: (561) 691-7100  
Fax: (561) 691-7135  
Attorneys for Florida Power & Light Company

By:   
NATALIE F. SMITH

## APPENDIX I

### FLORIDA POWER & LIGHT COMPANY CONSERVATION COST RECOVERY FACTORS January 2008 through December 2008

Rate Class	Conservation Recovery Factor \$/kWh
RS1/RST1	0.00145
GS1/GST1	0.00143
GSD1/GSDT1/HLTF(21-499 kW)	0.00133
OS2	0.00150
GSLD1/GSLDT1/CS1/CST1/HLTF(500-1,999 kW)	0.00130
GSLD2/GSLDT2/CS2/CST2/HLTF(2,000 + kW)	0.00119
GSLD3/GSLDT3/CS3/CST3	0.00114
ISST1D	0.00120
ISST1T	0.00095
SST1T	0.00095
SST1D1/SST1D2/SST1D3	0.00120
CILC D/CILC G	0.00119
CILC T	0.00113
MET	0.00138
OL1/SL1/PL1	0.00085
SL2, GSCU1	0.00102
TOTAL	0.00138

**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 (\*\*) or United States mail this 14<sup>th</sup> day of September, 2007 to the following:

Katherine Fleming, Esq. \*\*  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Office of Public Counsel  
P. Christensen, Esq./C. Beck/J.  
McGlothlin  
c/o The Florida Legislature  
111 West Madison St., Room 812  
Tallahassee, FL 32399-1400

Beggs & Lane Law Firm  
Jeffrey Stone/Russell Badders  
P.O. Box 12950  
Pensacola, FL 32591-2950

Florida Industrial Power Users Group  
c/o John W. McWhirter, Jr.  
McWhirter, Reeves, Davidson,  
Kaufman & Arnold, P.A.  
400 North Tampa Street, Suite 2450  
Tampa, FL 33602

John T. Burnett  
Progress Energy Service Company, LLC  
PO Box 14042  
St. Petersburg, FL 33733-4042

Florida Public Utilities Company  
Ms. Cheryl Martin  
P. O. Box 3395  
West Palm Beach, FL 33402-3395

Ms. Susan D. Ritenour  
Secretary and Treasurer  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

Timothy J. Perry, Esq.  
McWhirter, Reeves, Davidson,  
Kaufman & Arnold, P.A.  
117 S. Gadsden St.  
Tallahassee, FL 32301

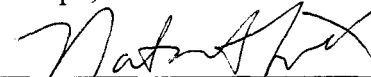
Norman H. Horton, Jr.  
Messer Law Firm  
P.O. Box 1876  
Tallahassee, FL 32302-1876

Lee L. Willis Esq./James D. Beasley, Esq  
Ausley & McMullen  
P.O. Box 391  
Tallahassee, FL 32302

Progress Energy Florida, Inc.  
Mr. Paul Lewis, Jr.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301-7740

Tampa Electric Company  
Ms. Paula K. Brown  
Administrator, Regulatory Coordination  
P. O. Box 111  
Tampa, FL 33601-0111

By: \_\_\_\_\_

  
NATALIE F. SMITH