

John T. Butler
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5639
(561) 691-7135 (Facsimile)
E-mail: john_butler@fpl.com

August 1, 2008

-VIA HAND DELIVERY -

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

Re: Docket No. 080001-EI

Dear Ms. Cole:

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 2008 Through December 2008, 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 2003.

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 561-304-5639.

Sincerely,

Tom J. Keith for
John T. Butler

COM 5
ECR 1 *CD forwarded.
GCL 1
OPC _____
RCP _____
SSC _____
SGA _____
ADM _____
CLK _____

Enclosure
cc: Counsel for parties of record (w/encl.)

DOCUMENT NUMBER-DATE
06785 AUG -4 08
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power)
Cost Recovery Clause with) DOCKET NO. 080001-EI
Generating Performance)
Incentive Factor.)
_____)
)

**PETITION FOR APPROVAL OF FUEL COST RECOVERY
AND CAPACITY COST RECOVERY ESTIMATED/ACTUAL TRUE-UP
FOR THE PERIOD JANUARY 2008 THROUGH DECEMBER 2008**

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 \$354,844,749 under-recovery, and approval of its estimated/actual Capacity Cost Recovery ("CCR") true-up of \$26,555,378 under-recovery for the period January 2008 through December 2008. 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 4, 2008, which is more than 90 days after the filing of this petition.

2. The \$354,844,749 estimated/actual FCR under-recovery for the period January 2008 through December 2008 was calculated in accordance with the methodology set forth in Schedule 1, page 2 of 2, attached to Order No. 10093, dated June 19, 1981. It is based on actual data for the period January through June 2008 and re-estimated data for the period July through December 2008. 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. FPL's total FCR under-recovery to be carried forward and included in the fuel factor for January through December 2009 is \$354,844,749. On June 3, 2008, FPL filed a petition for a

DOCUMENT NUMBER 08-0001-EI
06785 AUG -4 8
FPSC-COMMISSION CLERK

mid-course correction to its 2008 fuel adjustment factors to recover a \$746,153,415 under-recovery during the August through December 2008 period. At the July 1, 2008 Agenda Conference, the Commission approved recovery of 50% of this under-recovery, or \$373,076,708 during the August through December 2008 period, and deferred recovery of the remaining 50% to 2009. FPL is now calculating a 2008 estimated/actual under-recovery of \$354,844,749, including interest. This is slightly lower than the remaining 50% of FPL's mid-course correction under-recovery, because FPL now projects slightly lower fuel costs for August through December 2008 than were reflected in its mid-course correction filing.


4. The estimated/actual \$26,555,378 CCR under-recovery for the period January 2008 through December 2008 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 2008 and re-estimated data for the period July through December 2008. The supporting documentation is contained in the prepared testimony and exhibits of FPL witness K.M. Dubin, which are being filed together with the Petition and incorporated herein.

5. FPL's total CCR under-recovery is \$30,262,834. This consists of the \$26,555,378 estimated/actual under-recovery for 2008 plus the final under-recovery of \$3,707,455 for the period ending December 2007 that was filed on March 3, 2008. This total CCR under-recovery of \$30,262,834 is to be carried forward and included in the CCR factors for January through December 2009.

WHEREFORE, Florida Power & Light Company respectfully requests the Commission to approve an under-recovery of \$354,844,749 as the estimated/actual FCR true-up amount for the period January 2008 through December 2008 and to approve an under-recovery of \$30,262,834 as the estimated/actual CCR true-up amount for the period January 2008 through December 2008.

Respectfully submitted,

R. Wade Litchfield, Esq.
Vice President and Associate General Counsel
John T. Butler, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5639
Facsimile: (561) 691-7135

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

CERTIFICATE OF SERVICE
DOCKET NO. 080001-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 2008 through December 2008 has been furnished by overnight delivery (*) or U.S. Mail this 1st day of August, 2008, to the following:

Lisa Bennett, Esq.(*)
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

J. R. Kelly, Esq.
Steve Burgess, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

Lee L. Willis, Esq.
James D. Beasley, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302

John T. Burnett, Esq.
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, Florida 33733-4042

John W. McWhirter, Jr., Esq.
McWhirter Reeves
Attorneys for FIPUG
P.O. Box 3350
Tampa, Florida 33601

Norman H. Horton, Jr., Esq.
Floyd R. Self, Esq.
Messer, Caparello & Self
Attorneys for FPUC
P.O. Box 1876
Tallahassee, Florida 32302-1876

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, Florida 32576-2950

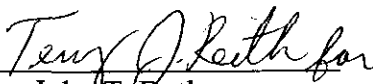
Michael B. Twomey, Esq.
Attorney for AARP
Post Office Box 5256
Tallahassee, Florida 32314-5256

Office of Attorney General
Cecilia Bradley
Capitol-PL 01
Tallahassee, FL 32399-1050

James W. Brew
Brickfield, Burchette, Ritts & Stone, The P.C.
1025 Thomas Jefferson Street, NW
Eight Floor, West Tower
Washington, DC 2007-5201

R Scheffel Wright/ John Lavia
Florida Retail Federation
225 South Adams Street # 200
Tallahassee, FL 32301

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

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