

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 29, 2008

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COMMISSION  
CLERK

**-VIA HAND DELIVERY -**

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

**Re: Docket No. 080007-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 ("FPL's") Petition for Approval of Environmental Cost Recovery Factors for Period January 2009 Through December 2009 and Approval of the Greenhouse Gas Reduction Program, 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 FPL witnesses K. M. Dubin, R.R. LaBauve and E. Silagy.

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

COM \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
RCP \_\_\_\_\_  
SSC \_\_\_\_\_  
SGA \_\_\_\_\_  
ADM \_\_\_\_\_  
CLK \_\_\_\_\_

Enclosures

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

*Diskette forwarded to ECR.*

Sincerely,

*Terry J. Keith for*  
John T. Butler

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**IN RE: Environmental Cost )  
Recovery Clause )**

**DOCKET No. 080007-EI  
Filed: August 29, 2008**

**PETITION FOR APPROVAL OF ENVIRONMENTAL COST RECOVERY FACTORS  
FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009 AND APPROVAL  
OF THE GREENHOUSE GAS REDUCTION PROJECT**

Florida Power & Light Company ("FPL") pursuant to Order No. FSC-93-1580-FOF-EI, and Order No. PSC-98-0691-FOF-PU, hereby petitions this Commission to approve the Environmental Cost Recovery ("ECR") Factors submitted as Attachment I to this Petition for the January 2009 through December 2009 billing period and the Greenhouse Gas Reduction Project, such that the reasonable costs incurred by FPL in connection with that Project subsequent to the date of this petition may be recovered through the ECR Clause. All charges are to become effective starting with meter readings scheduled to be read on or after Cycle Day 3, and will remain in effect until modified by subsequent order of this Commission. In support of this Petition, FPL incorporates the prepared written testimony and exhibits of FPL witnesses K.M. Dubin, R.R. LaBauve and E. Silagy, and states as follows:

1. Section 336.8255 of the Florida Statutes authorizes the Commission to review and approve the recovery of prudently incurred Environmental Compliance Costs.

2. FPL seeks Commission approval of the ECR Factors for the period January 2009 through December 2009 as set forth in the testimony and documents of Ms. Dubin, and in Attachment I to this Petition. FPL is requesting recovery of total projected jurisdictional environmental costs, adjusted for revenue taxes, in the amount of \$93,698,955, representing

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

\$91,077,343 of 2009 environmental project costs increased by the estimated/actual true-up under-recovery of \$5,728,576 for the period January 2008 through December 2008 and decreased by the final over-recovery of \$3,174,379 for the period January 2007 through December 2007, as filed on April 2, 2008. The calculations of environmental costs for the period January 2009 through December 2009 are contained in Commission schedules 42-1P through 42-7P which are attached as Appendix I to Ms. Dubin's prepared testimony.

3. FPL witness R.R. LaBauve's prepared testimony and documents present and support a new environmental compliance activity for recovery through the ECR Clause: the Greenhouse Gas (GHG) Reduction Program. Mr. LaBauve's testimony includes a description of the project, an identification of the environmental law or regulation requiring FPL to undertake the project, the forecasted costs associated with the project, a description of the steps FPL is taking to ensure that the environmental compliance costs to be incurred by FPL pursuant to the project are prudent, and a demonstration of the appropriateness of the project. This information shows that the GHG Reduction Program meets the requirements for recovery set forth in section 366.8255 of the Florida Statutes and that the forecasted environmental compliance costs associated with the project are reasonable.

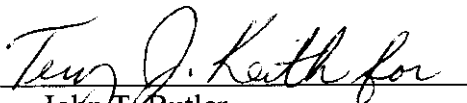
4. The 2009 ECR projections reflect costs projected to be incurred through the end of 2009 for the Martin Next Generation Solar Energy Center project, the DeSoto Next Generation Solar Energy Center project, and the Space Coast Next Generation Solar Energy Center project (collectively, the "Solar Projects"). In Docket No. 080281-EI, FPL petitioned the Commission to approve the eligibility of the Solar Projects for recovery through the ECR Clause ("ECRC") pursuant to Section 366.92(4), Fla. Stat., which was recently enacted as part of House

Bill 7135 and became effective on July 1, 2008. The Commission approved the Solar Projects for ECRC recovery in Order PSC-08-0491-PAA-EI, issued on August 4, 2008. Details with respect to each of the Solar Projects are contained in Mr. Silagy's testimony.

WHEREFORE, FPL respectfully requests the Commission to approve the Environmental Cost Recovery Factors set forth in Attachment I to this Petition for the January 2009 through December 2009 billing period, effective starting with meter readings scheduled to be read on or after Cycle Day 3, and to continue these charges in effect until modified by subsequent order of this Commission and the GHG Reduction Project such that the reasonable costs incurred by FPL in connection with that project subsequent to the date of this petition may be recovered through the ECR Clause.

Respectfully submitted,

R. Wade Litchfield  
John T. Butler  
Law Department  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Telephone: 561-304-5639  
Fax: 561-691-7135

By:   
John T. Butler  
Florida Bar No. 283479

**CERTIFICATE OF SERVICE**  
**Docket No. 080007-EI**

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Petition for Approval of the Environmental Cost Recovery Factors for the period January 2009 through December 2009 and the Greenhouse Gas Reduction Project has been furnished by hand delivery (\*) or U.S. Mail on August 29, 2008 to the following:

Martha Brown, 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 W Madison St. Room 812  
Tallahassee, FL 32399-1400

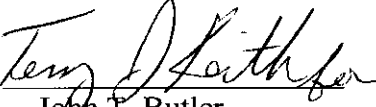
Lee L. Willis, Esq.  
James D. Beasley, Esq.  
Ausley & McMullen  
Attorneys for Tampa Electric  
P.O. Box 391  
Tallahassee, Florida 32302

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  
400 North Tampa Street, Suite 2450  
Tampa, Florida 33602

Gary V. Perko, Esq.  
Hopping Green & Sams  
P.O Box 6526  
Tallahassee, FL 32314  
Attorneys for Progress Energy Florida

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

By:   
John T. Butler

**Florida Power & Light Company**  
**Environmental Cost Recovery Clause**  
**Calculation of Environmental Cost Recovery Clause Factors**  
**January 2009 to December 2009**

Rate Class	(1) Percentage of KWH Sales at Generation (%)	(2) Percentage of 12 CP Demand at Generation (%)	(3) Percentage of GCP Demand at Generation (%)	(4) Energy Related Cost (\$)	(5) CP Demand Related Cost (\$)	(6) GCP Demand Related Cost (\$)	(7) Total Environmental Costs (\$)	(8) Projected Sales at Meter (KWH)	(9) Environmental Cost Recovery Factor (\$/KWH)
RS1/RST1	52.33820%	56.97040%	54.82339%	\$15,879,663	\$34,660,449	\$1,381,042	\$51,921,154	55,403,306,419	0.00094
GS1/GST1	5.87518%	6.45440%	6.67322%	\$1,782,557	\$3,926,819	\$168,103	\$5,877,479	6,219,248,803	0.00095
GSD1/GSDT1/HLTF(21-499 kW)	23.56075%	21.83474%	22.55404%	\$7,148,445	\$13,284,127	\$568,153	\$21,000,725	24,942,068,687	0.00084
OS2	0.01707%	0.01257%	0.05655%	\$5,180	\$7,647	\$1,425	\$14,252	18,498,130	0.00077
GSLD1/GSLDT1/CS1/CST1/HLTF(500-1,999 kW)	10.58999%	9.24918%	9.55589%	\$3,213,054	\$5,627,144	\$240,720	\$9,080,918	11,220,287,833	0.00081
GSLD2/GSLDT2/CS2/CST2/HLTF(2,000+ kW)	2.00150%	1.58152%	1.61233%	\$607,266	\$962,188	\$40,616	\$1,610,070	2,133,689,890	0.00075
GSLD3/GSLDT3/CS3/CST3	0.23657%	0.17720%	0.21515%	\$71,776	\$107,806	\$5,420	\$185,002	261,545,665	0.00071
ISST1D	0.00000%	0.00000%	0.00000%	\$0	\$0	\$0	\$0	0	0.00067
ISST1T	0.00000%	0.00000%	0.00000%	\$0	\$0	\$0	\$0	0	0.00068
SST1T	0.07874%	0.04947%	0.19567%	\$23,889	\$30,100	\$4,929	\$58,918	87,048,226	0.00068
SST1D1/SST1D2/SST1D3	0.00497%	0.00313%	0.00728%	\$1,507	\$1,904	\$183	\$3,594	5,382,413	0.00067
CILC D/CILC G	3.20589%	2.44952%	2.40581%	\$972,684	\$1,490,273	\$60,604	\$2,523,561	3,419,610,773	0.00074
CILC T	1.35069%	1.01074%	1.02152%	\$409,807	\$614,929	\$25,733	\$1,050,469	1,493,300,492	0.00070
MET	0.08486%	0.08255%	0.09073%	\$25,746	\$50,222	\$2,286	\$78,254	91,941,054	0.00085
OL1/SL1/PL1	0.55214%	0.05986%	0.72906%	\$167,521	\$36,421	\$18,366	\$222,308	584,472,455	0.00038
SL2, GSCU1	0.10345%	0.06471%	0.05935%	\$31,389	\$39,368	\$1,495	\$72,252	109,513,160	0.00066
<b>TOTAL</b>				<b>\$30,340,484</b>	<b>\$60,839,397</b>	<b>\$2,519,074</b>	<b>\$93,698,955</b>	<b>105,989,914,000</b>	<b>0.00088</b>

Note: There are currently no customers taking service on Schedules ISST1(D) or ISST1(T). Should any customer begin taking service on these schedules during the period, they will be billed using the applicable SST1 Factor.

- (1) From Form 42-6P, Col 11
- (2) From Form 42-6P, Col 12
- (3) From Form 42-6P, Col 13
- (4) Total Energy \$ from Form 42-1P, Line 5b x Col 1
- (5) Total CP Demand \$ from Form 42-1P, Line 5b x Col 2
- (6) Total GCP Demand \$ from Form 42-1P, Line 5b x Col 3
- (7) Col 4 + Col 5 + Col 6
- (8) Projected KWH sales for the period January 2009 through December 2009
- (9) Col 7 / Col 8 x 100