

Office of Commission Clerk Official Filing

090001

Ruth Nettles

From: Katie Ely on behalf of Records Clerk  
Sent: Monday, December 21, 2009 3:54 PM  
To: Ruth Nettles  
Cc: Dorothy Menasco  
Subject: FW: Change of name in docket

Interested Person/Parties name change from Record Clerk.

Katie Ely  
Staff Assistant - Office of Commission Clerk Florida Public Service Commission  
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

-----Original Message-----

From: Pat Pottle [mailto:ppottle@ausley.com]  
Sent: Monday, December 21, 2009 3:36 PM  
To: Records Clerk  
Subject: Change of name in docket

FPSC, CLK - CORRESPONDENCE  
Administrative Parties Consumer  
DOCUMENT NO. 00052-09  
DISTRIBUTION: \_\_\_\_\_

Would you please remove Lee Willis from all FPSC docket with which he was involved and substitute James D. Beasley in his place.

Thank you for your assistance.

*Dme  
12/22/09  
KUN*

080317  
080409  
080503  
080580

090001  
090002  
090007  
090109  
090146  
090439  
090508

Patricia G. Pottle  
Legal Assistant to James D. Beasley  
Ausley & McMullen  
P. O. Box 391  
Tallahassee, FL 32302  
(850) 425-5486

1. The foregoing is not intended to be a legally binding or legally effective electronic signature.
2. This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual(s) or entity(ies) to which it is addressed. This message may contain information that is privileged, proprietary,

12/22/2009 12:59 PM

**Office of Commission Clerk Official Filing**

confidential, or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it, electronically, verbally or in writing. If you have received this message in error, please notify the sender immediately by email and delete all copies of the message. I apologize for any inconvenience this may have caused. Thank you.

**Katie Ely**

090001

**From:** Katie Ely  
**Sent:** Wednesday, December 16, 2009 3:08 PM  
**To:** Ann Cole  
**Subject:** FW: Docket No. 090001-EI, FPL Fuel Refund order

Thank you for this information. This attachment has been printed and will be placed in **Docket Correspondence - Parties and Interested Persons**, in Docket 090001

Katie Ely  
Staff Assistant - Office of Commission Clerk  
Florida Public Service Commission  
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

**FPSC, CLK - CORRESPONDENCE**  
~~Administrative~~ ~~Parties~~ ~~Consumer~~  
**DOCUMENT NO.** 00052.09  
**DISTRIBUTION:** \_\_\_\_\_

**From:** Katie Ely  
**Sent:** Wednesday, December 16, 2009 3:07 PM  
**To:** Ann Cole  
**Subject:** FW: Docket No. 090001-EI, FPL Fuel Refund order

Thank you for this information. This attachment has been printed and will be placed in **Docket Correspondence - Consumers and their Representatives**, in Docket 090001

Katie Ely  
Staff Assistant - Office of Commission Clerk  
Florida Public Service Commission  
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

**From:** Ann Cole  
**Sent:** Wednesday, December 16, 2009 3:00 PM  
**To:** Katie Ely  
**Cc:** Dorothy Menasco  
**Subject:** FW: Docket No. 090001-EI, FPL Fuel Refund order

Hey Katie,

Please place this information in *Docket Correspondence - Parties and Interested Persons*, in Docket No.

12/16/2009

090001-EI. Thank you.

-----Original Message-----

From: McNeill, Shayla L Capt USAF AFLOA JACL-ULT/AFCESA/CENL  
[mailto:shayla.mcneill@TYNDALL.AF.MIL]

Sent: Tuesday, December 15, 2009 12:13 PM

To: Doc Horton; James D. Beasley; Lee L. Willis; James Brew; Jeffrey Stone; Russell Badders; Steven Griffin; John T. Butler; Natalie Futch Smith; Wade Litchfield; Cheryl Martin; Curtis Young; Jon C. Moyle Jr.; Vicki Gordon Kaufman; Charles Beck; Patty Christensen; J. R. Kelly; Esq. Joseph Mcglothlin; Tricia Merchant; Charles Rehwinkel; John McWhirter; Cecilia Bradley; John T. Burnett; Lisa Stright; Paul Lewis; Lisa Bennett; Susan Ritenour; Paula K. Brown; Jungels, Allan L Capt USAF AFLOA JACL-ULT/AFCESA/CENL; White, Karen S Civ USAF AFLOA JACL-ULT/AFCESA/CENL; Schef Wright

Cc: Ann Cole

Subject: RE: Docket No. 090001-EI, FPL Fuel Refund order

Lisa-

FEA will not be filing a brief!  
Happy Holidays!

Kind regards,  
Shayla

SHAYLA L. MCNEILL, Capt, USAF  
Utility Law Field Support Center (ULFSC) Staff Attorney AFLOA/JACL-ULFSC  
139 Barnes Drive  
Tyndall AFB, FL 32403-5317  
850-283-6663  
DSN 523-6663  
Cell 850-276-5705

-----Original Message-----

From: Doc Horton [mailto:nhorton@lawfla.com]

Sent: Thursday, December 10, 2009 3:11 PM

To: James D. Beasley; Lee L. Willis; James Brew; Jeffrey Stone; Russell Badders; Steven Griffin; John T. Butler; Natalie Futch Smith; Wade Litchfield; Cheryl Martin; Curtis Young; Jon C. Moyle Jr.; Vicki Gordon Kaufman; Charles Beck; Patty Christensen; J. R. Kelly; Esq. Joseph Mcglothlin; Tricia Merchant; Charles Rehwinkel; John McWhirter; Cecilia Bradley; John T. Burnett; Lisa Stright; Paul Lewis; Lisa Bennett; Susan Ritenour; Paula K. Brown; Jungels, Allan L Capt USAF AFLOA JACL-ULT/AFCESA/CENL; White, Karen S Civ USAF AFLOA JACL-ULT/AFCESA/CENL; McNeill, Shayla L Capt USAF AFLOA JACL-ULT/AFCESA/CENL; Schef Wright

Cc: Ann Cole

Subject: Re: Docket No. 090001-EI, FPL Fuel Refund order

Lisa--FPUC will not be taking a position or filing a brief Doc

>>> "Lisa Bennett" <LBENNETT@psc.state.fl.us> 12/10/2009 3:36 PM >>>

12/16/2009

All Parties to the 2009 fuel docket,

I received the email below from John Butler, on behalf of FPL. It appears that FPL is seeking a clarification to the fuel order regarding the method of calculating the refund. Because the Commission directed that the refund occur in January 2010, staff intends to bring an emergency recommendation to the Commission at the December 15, 2010 Agenda Conference. Staff would appreciate each party's input into the method of calculating the refund and accordingly, staff is requesting a brief from each party addressing the issue.

The issue is "The Commission directed that FPL refund its customers in January 2010. On what period of consumption (e.g. Jan. 2010 or Jan-Dec. 2009 or some other time period or methodology) should the refund be based?"

It would be helpful in preparing the information for the recommendation to know:

- the costs to FPL of determining the amount of consumption per customer for 2009;
- whether FPL can identify the amount of total refund per customer class; and
- whether FPL could use a formula to establish a band around customer refunds so that each customer would get at least the minimum amount of refund but no more than a specified maximum amount of refund per customer.

We ask that each party who wishes to file a brief, do so by noon Friday, December 11, 2009. Please file the brief with the Clerk but provide a copy to staff and the other parties of record. I would also appreciate your letting me know if you don't intend to file a brief.

Lisa C. Bennett  
Office of the General Counsel  
2540 Shumard Oak Boulevard  
Tallahassee, FL  
850-413-6230

---

From: Butler, John [<mailto:John.Butler@fpl.com>]  
Sent: Monday, December 07, 2009 10:56 AM  
To: Lisa Bennett  
Subject: FW: fuel refund order

Lisa, in reviewing Order No. PSC-09-0795-FOF-EI, Docket No. 090001-EI, we noticed a typo in the ordering paragraph regarding FPL's one-time credit (page 20) that I want to bring to your attention. The Order states that FPL " shall refund the 2009 under-recovery amount of \$364,843,209 to its customers in January 2010," but the \$364,843,209 is actually an over-recovery and is the net of FPL's 2008 Final True-up and 2009 Estimated/Actual amounts.

12/16/2009

The Order does not provide any specific guidance as to how the refund is to be made to FPL's customers in January 2010. FPL plans to implement the refund consistent with the method that was specified by the Commission in Order No. PSC-09-0024-FOF-EI, Docket No. 080001-EI, with respect to the March 2006 Turkey Point Unit 3 outage. Order No. PSC-09-0024-FOF-EI stated that ".only retail customers of record shall receive a refund and that refund shall be applied as a cent per kilowatt-hour credit to customer bills in the month the refund is made." Following that method, FPL intends to implement its refund of the \$364,843,209 over-recovery by applying a cent per kilowatt-hour credit to retail customers of record during the January 2010 billing cycle.

Best regards, John

**Dorothy Menasco**

090001

**From:** Ann Cole  
**Sent:** Friday, December 11, 2009 12:50 PM  
**To:** Lisa Bennett  
**Cc:** Dorothy Menasco  
**Subject:** RE: Docket No. 090001-EI, FPL Fuel Refund order ADDENDUM

FPSC, CLK - CORRESPONDENCE  
 \_\_\_Administrative\_\_\_  Parties \_\_\_Consumer\_\_\_  
 DOCUMENT NO. 00052-09  
 DISTRIBUTION: \_\_\_\_\_

Correction; this will be placed *in Correspondence - Parties and Interested Persons* per Dorothy's recommendation below. Dorothy, print this email and process. Thank you.

**From:** Dorothy Menasco  
**Sent:** Friday, December 11, 2009 12:18 PM  
**To:** Ann Cole  
**Subject:** RE: Docket No. 090001-EI, FPL Fuel Refund order ADDENDUM

Ann, I believe this should go in parties correspondence since it originated with a party to the docket. Please advise.

**From:** Ann Cole  
**Sent:** Thursday, December 10, 2009 5:13 PM  
**To:** Lisa Bennett  
**Subject:** RE: Docket No. 090001-EI, FPL Fuel Refund order ADDENDUM

Thank you for this information. Unless otherwise instructed, this e-mail will be placed in *Docket Correspondence - Administrative*, in Docket No. 090001-EI. If you would like it filed in the docket, we will need a signed memorandum directing us to do so.

**From:** Lisa Bennett  
**Sent:** Thursday, December 10, 2009 4:30 PM  
**To:** Ann Cole  
**Cc:** Carol Purvis  
**Subject:** RE: Docket No. 090001-EI, FPL Fuel Refund order ADDENDUM

10am on Monday. I keep meaning to call you Ann. Can you put the email in the 090001 Docket please?

Lisa C. Bennett  
 Office of the General Counsel  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL  
 850-413-6230

**From:** Ann Cole  
**Sent:** Thursday, December 10, 2009 4:20 PM  
**To:** Lisa Bennett  
**Cc:** Carol Purvis  
**Subject:** RE: Docket No. 090001-EI, FPL Fuel Refund order ADDENDUM

Hey Lisa,

Do you know approx. when the rec. will filed?

12/11/2009

---

**From:** Lisa Bennett

**Sent:** Thursday, December 10, 2009 3:36 PM

**To:** Allan Jungels; Captain Shayla mcNeill; Cecilia Bradley; Charles Beck; Charles Rehwinkel; Cheryl Martin; Curtis Young; J. R. Kelly; James Brew; James D. Beasley; Jeffrey Stone; John McWhirter; John T. Burnett; John T. Butler; Jon C. Moyle Jr.; Joseph McGlothlin, Esq.; Lee L. Willis; Lisa Stright; Lt. Col. Karen White; Natalie Futch Smith; Norman H. Horton; Patty Christensen; Paul Lewis; Paula K. Brown; Russell Badders; Schef Wright; Steven Griffin; Susan Ritenour; Tricia Merchant; Vicki Gordon Kaufman; Wade Litchfield

**Cc:** Ann Cole

**Subject:** Docket No. 090001-EI, FPL Fuel Refund order ADDENDUM

All Parties to the 2009 fuel docket,

I received the email below from John Butler, on behalf of FPL. It appears that FPL is seeking a clarification to the fuel order regarding the method of calculating the refund. Because the Commission directed that the refund occur in January 2010, staff intends to bring an emergency recommendation to the Commission at the December 15, 2010 Agenda Conference. Staff would appreciate each party's input into the method of calculating the refund and accordingly, staff is requesting a brief from each party addressing the issue.

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- whether FPL can identify the amount of total refund per customer class; and
- whether FPL could use a formula to establish a band around customer refunds so that each customer would get at least the minimum amount of refund but no more than a specified maximum amount of refund per customer.

We ask that each party who wishes to file a brief, do so by noon Friday, December 11, 2009. Please file the brief with the Clerk but provide a copy to staff and the other parties of record. I would also appreciate your letting me know if you don't intend to file a brief.

Lisa C. Bennett  
Office of the General Counsel  
2540 Shumard Oak Boulevard  
Tallahassee, FL  
850-413-6230

---

**From:** Butler, John [mailto:John.Butler@fpl.com]

**Sent:** Monday, December 07, 2009 10:56 AM

**To:** Lisa Bennett

**Subject:** FW: fuel refund order

Lisa, in reviewing Order No. PSC-09-0795-FOF-EI, Docket No. 090001-EI, we noticed a typo in the ordering paragraph regarding FPL's one-time credit (page 20) that I want to bring to your attention. The Order states that FPL " shall refund the 2009 under-recovery amount of \$364,843,209 to its customers in January 2010," but the \$364,843,209 is actually an over-recovery and is the net of FPL's 2008 Final True-up and 2009 Estimated/Actual amounts.

The Order does not provide any specific guidance as to how the refund is to be made to FPL's customers in January 2010. FPL plans to implement the refund consistent with the method that was specified by the Commission in Order No. PSC-09-0024-FOF-EI, Docket No. 080001-EI, with respect to the March 2006 Turkey Point Unit 3 outage. Order No. PSC-09-0024-FOF-EI stated that "...only retail customers of record shall receive a refund and that refund shall be applied as a cent per kilowatt-hour credit to customer bills in the month the refund is made." Following that method, FPL intends to implement its refund of the \$364,843,209 over-recovery by applying a cent per kilowatt-hour credit to retail customers of record during the January 2010 billing cycle.

12/11/2009



Best regards, John

12/11/2009

**Marguerite McLean**

090001-EI

**From:** Filings@psc.state.fl.us  
**Sent:** Friday, November 13, 2009 9:32 AM  
**To:** 'jmcwhirter@mac-law.com'  
**Subject:** FW: Docket 090001-EI FIPUG corrected brief

FPSC, CLK - CORRESPONDENCE  
Administrative \ Parties \ Consumer  
DOCUMENT NO. 00052-09  
DISTRIBUTION: \_\_\_\_\_

We are in receipt of your e-filing, however, there was no attachment included.

Your filing will need to be revised and resubmitted to be eligible for electronic filing.

For further information on what documents are eligible for e-filing, please see e-filing requirements on the PSC website: <http://www.floridapsc.com/dockets/e-filings/>

Please call our office if you have any questions.

Marguerite H. McLean  
Office of Commission Clerk  
850-413-6770

---

**From:** John W.McWhirter [mailto:jmcwhirter@mac-law.com]

**Sent:** Friday, November 13, 2009 8:56 AM

**To:** Filings@psc.state.fl.us

**Cc:** Allan Jungels; Bill McNulty; Billy Stiles; Burnett, John ; Cecilia Bradley; Charles Beck; Earl Poucher; G. G. Living; Jay Brew; 'Jeffrey Stone'; Jim Beasley; 'Joe McGlothlin'; 'John Butler'; 'John Office McWhirter'; 'Jon Moyle'; 'JR Kelly'; Karin S. Torain; Keino Young; Kory Dubin; Lisa Bennett; McNeill Shayla ; 'Mike Twomey'; Natalie Smith; Norman H. Horton; Patty Christensen, Esq.; Paula K Brown; Pete Lester; Charles Rehwinkel; Russell Badders, Esq.; Schef Wright; Susan D. Ritenour ; Timothy Perry, Esq.; Vicki Kaufman ; Wade Litchfield; White Lt Col Karen

**Subject:** Docket 090001-EI FIPUG corrected brief

1. John W. McWhirter, Jr., 400 N. Tampa St. Tampa, FL 33602, [jmcwhirter@mac-law.com](mailto:jmcwhirter@mac-law.com) is the person responsible for this electronic filing;
2. The filing is to be made in Docket 090001-EI, In re: Fuel Cost Recovery
3. The filing is made on behalf of the Florida Industrial Power Users Group;
4. The total number of pages is 13 and
5. The attached document is The Florida Industrial Power User Group's Post Hearing Statement of Issues, Positions and Brief

The attached document inserts words that were dropped and deletes extraneous words included in the previous draft by sloppy editor. Changes appear in blue.

John W. McWhirter, Jr.

PO Box 3350

Tampa, FL 33601-3350  
813 2240866  
813.505.8055 cell  
813.221.1854 FAX

10/7/2009 9:57 AM

Office of Commission Clerk Official Filing

090001

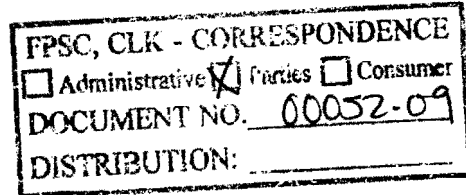
Ruth Nettles

From: Filings@psc.state.fl.us  
Sent: Wednesday, October 07, 2009 9:57 AM  
To: 'Cecilia.Bradley@myfloridalegal.com'  
Cc: Dorothy Menasco; Ruth Nettles; Marguerite McLean  
Subject: FW: Electronic Filing 090001-EI Attorney General's Prehearing Statement

Attachments: 090001 Prehearing Statement.doc



090001  
aring Statement



Dear Ms. Bradley:

We are in receipt of your attached e-filing. However, this document is not eligible for electronic filing, and will need to be revised and resubmitted in order to be officially accepted for filing.

Please note that, per the Commission's e-filing requirements, documents are to include an official signature.

Manner of Electronic Transmission:

- Documents shall be signed by typing "s/" followed by the signatory:  
s/ First M. Last

E-Mail Transmitting an Electronically Filed Document

- The e-mail message transmitting the document(s) to be filed is not itself considered a filing. Therefore, documents contained within the text of an e-mail transmission will not be considered filed.

A link to the Commission's e-filings requirements is included for your convenience:  
<http://www.psc.state.fl.us/dockets/e-filings/>

Please call us if you have any questions.

Sincerely,

Ruth Nettles  
Office of Commission Clerk  
850-413-6770

-----Original Message-----

From: Cecilia Bradley [mailto:Cecilia.Bradley@myfloridalegal.com]  
Sent: Tuesday, October 06, 2009 5:01 PM  
To: Filings@psc.state.fl.us  
Cc: CHRISTENSEN.PATTY; Cecilia Bradley; Cheryl Martin; Curtis Young; Erik Sayler; J. Beasley; James W. Brew; Jean Hartman; Jeffery A. Stone; John McWhirter; John Rogers; John T. Burnett; John T. Butler; Karen White; Karin Torain; Keino Young; Lee Willis; Lisa Bennett; Norman H. Horton; Paul Lewis, Jr.; Paula K. Brown; Schef Wright; Shayla McNeill; Susan Ritenour; Vicki Kaufman; Wade Litchfield  
Subject: Electronic Filing 090001-EI Attorney General's Prehearing Statement

Attached is the Attorney General's Prehearing Statement for filing in Docket No. 090001. Thank you for consideration of this matter.

(See attached file: 090001 Prehearing Statement.doc)

10/7/2009 9:57 AM

**Office of Commission Clerk Official Filing**

Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure.

**Dorothy Menasco**

090001

**From:** Filings@psc.state.fl.us  
**Sent:** Wednesday, October 07, 2009 9:46 AM  
**To:** 'Al.Taylor@bbrslaw.com'  
**Cc:** Ann Cole; Ruth Nettles; Marguerite McLean; Pete Lester; Lynn Deamer; Dale Mailhot; Phillip Ellis; Lisa Bennett; Erik Saylor; Keino Young  
**Subject:** FW: Docket 090001-EI - PCS Phosphate Change to Service List  
**Attachments:** Service List Change.pdf

**FPSC, CLK - CORRESPONDENCE****Administrative**  **Parties**  **Consumer** **DOCUMENT NO.** 00052-09**DISTRIBUTION:** \_\_\_\_\_

Mr. Taylor:

Thank you for advising of changes to the mailing list in Docket 090001. For future reference, please note that changes to contact information for the mailing list should be made at [clerk@psc.state.fl.us](mailto:clerk@psc.state.fl.us) rather than [filings@psc.state.fl.us](mailto:filings@psc.state.fl.us). If changes are necessary to a regulated company's contact information, please see the instructions on the PSC website at: <http://www.psc.state.fl.us/utilities/index.aspx>.

Per your attached written request, the contact information for PCS Administration (USA), Inc. has been deleted from the parties list, and the request has been placed in *Docket correspondence - Parties and Interested Persons* (DN 00052-09).

Please call our office if you have any questions.

*Dorothy Menasco*  
*Chief Deputy Commission Clerk*  
*Florida Public Service Commission*  
*Office of Commission Clerk*  
*850-413-6770*

---

**From:** Al Taylor [mailto:Al.Taylor@bbrslaw.com]  
**Sent:** Tuesday, October 06, 2009 4:35 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Jay Brew; 'wade\_litchfield@fpl.com'; 'John.Butler@fpl.com'; 'Susan D. Ritenour (Gulf Power)'; 'Norton H. Horton, Jr. '; 'Lee Willis, Esq.'; 'James Beasley, Esq.'; 'Jeffrey Stone, Esq.'; Charles Rehwinkel; 'paul.lewisjr@pgnmail.com'; 'john.burnett@pgnmail.com'; 'Regdept@tecoenergy.com'; 'KSTorain@potashcorp.com'; 'rmiller@pcsphosphate.com'; 'shayla.mcneill@tyndall.af.mil'; 'jmcwhirter@mac-law.com'; 'vkaufman@kagmlaw.com'; 'nhorton@lawfla.com'; Lisa Bennett; Erik Saylor; Keino Young; 'rab@beggsllane.com'; 'cyoung@fpuc.com'; 'jmoyle@kagmlaw.com'; 'swright@yvlaw.net'  
**Subject:** Docket 090001-EI - PCS Phosphate Change to Service List

a. Person responsible for filing

James W. Brew  
 Brickfield, Burchette, Ritts & Stone, P.C.  
 1025 Thomas Jefferson Street, N.W.  
 Eighth Floor West Tower  
 Washington, D.C. 20007  
 Tel: (202) 342-0800  
 Fax: (202) 342-0807  
[jwb@bbrslaw.com](mailto:jwb@bbrslaw.com)

10/7/2009

- b. Docket No. 090001-EI, In Re: Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor
- c. Filed on behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs
- d. Total Pages = 3
- e. PCS Phosphate's Change to Service List Request

F. Alvin Taylor  
BRICKFIELD BURCHETTE RITTS & STONE, PC  
1025 Thomas Jefferson St, N.W.  
Eighth Floor, West Tower  
Washington, DC 20007  
202-342-0800  
Fax: 202-342-0807  
[ataylor@bbrslaw.com](mailto:ataylor@bbrslaw.com)

Marguerite McLean

090001

**From:** Al Taylor [Al.Taylor@bbrslaw.com]  
**Sent:** Tuesday, October 06, 2009 4:35 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Jay Brew; 'wade\_litchfield@fpl.com'; 'John.Butler@fpl.com'; 'Susan D. Ritenour (Gulf Power)'; 'Norton H. Horton, Jr. '; 'Lee Willis, Esq.'; 'James Beasley, Esq.'; 'Jeffrey Stone, Esq.'; Charles Rehwinkel; 'paul.lewisjr@pgnmail.com'; 'john.burnett@pgnmail.com'; 'Regdept@tecoenergy.com'; 'KSTorain@potashcorp.com'; 'rmiller@pcsphosphate.com'; 'shayla.mcneill@tyndall.af.mil'; 'jmcwhirter@mac-law.com'; 'vkaufman@kagmlaw.com'; 'nhorton@lawfla.com'; Lisa Bennett; Erik Sayler; Keino Young; 'rab@beggslane.com'; 'cyoung@fpuc.com'; 'jmoyle@kagmlaw.com'; 'swright@yvlaw.net'  
**Subject:** Docket 090001-EI - PCS Phosphate Change to Service List  
**Attachments:** Service List Change.pdf

FPSC, CLK - CORRESPONDENCE  
 \_\_\_Administrative\_\_\_  Parties \_\_\_Consumer\_\_\_  
 DOCUMENT NO. 00052-09  
 DISTRIBUTION: \_\_\_\_\_

- a. Person responsible for filing  
  
 James W. Brew  
 Brickfield, Burchette, Ritts & Stone, P.C.  
 1025 Thomas Jefferson Street, N.W.  
 Eighth Floor West Tower  
 Washington, D.C. 20007  
 Tel: (202) 342-0800  
 Fax: (202) 342-0807  
[jwb@bbrslaw.com](mailto:jwb@bbrslaw.com)
- b. Docket No. 090001-EI, In Re: Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor
- c. Filed on behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs
- d. Total Pages = 3
- e. PCS Phosphate’s Change to Service List Request

F. Alvin Taylor  
 BRICKFIELD BURCHETTE RITTS & STONE, PC  
 1025 Thomas Jefferson St, N.W.  
 Eighth Floor, West Tower  
 Washington, DC 20007  
 202-342-0800  
 Fax: 202-342-0807  
[ataylor@bbrslaw.com](mailto:ataylor@bbrslaw.com)

---

BRICKFIELD BURCHETTE  
RITTS & STONE, PC

---

WASHINGTON, D.C.  
AUSTIN, TEXAS

October 6, 2009

**VIA ELECTRONIC FILING**

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

Re: Docket No. 090001-EI – In re: Fuel and Purchased Power  
Recovery Clause with Generating Performance Incentive Factor

Dear Ms. Cole:

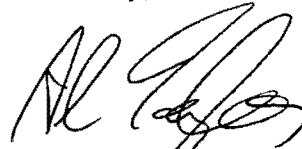
Effective immediately, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”) requests that the following person be removed from the service list for the above referenced docket.

Karen S. Torain  
PCS Administration (USA), Inc.  
Suite 400  
1101 Skokie Boulevard  
Northbrook, IL 60062

PCS Phosphate will remain an active party in this proceeding and documents should continue to be served on the remaining PCS Phosphate personnel designated in the service list.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me at (202) 342-0800.

Sincerely,



F. Alvin Taylor

AT:pdj



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of PCS Phosphate's Requested Change to the service List has been served by electronic and/or U. S. mail on this 6<sup>th</sup> day of October, 2009:

R. W. Litchfield/J. T. Butler/N. F. Smith  
Florida Power & Light Company  
700 Universe Blvd.  
Juno Beach, FL 33408

Messer Caparello & Self, P. A.  
Norman H. Horton, Jr.  
P. O. Box 15579  
Tallahassee, FL 32317

Florida Industrial Power Users Group  
c/o John McWhirter, Jr./Harold McLean  
McWhirter Reeves Law Firm  
P.O. Box 3350  
Tampa, FL 33601-3350

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

Jeffrey A. Stone, Russell A. Badders, and  
Steven Griffin  
Beggs & Lane Law Firm  
P. O. Box 12950  
Pensacola, Florida 32591-2950

Florida Power & Light Company  
Bill Walker  
215 South Monroe Street, Ste. 810  
Tallahassee, FL 32301-1859

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

Florida Public Utilities Company  
G. Bachman/C. Martin/M. Khojasteh  
P. O. Box 3395  
West Palm Beach, FL 33402-3395

Progress Energy Service Company, LLC  
John T. Burnett/R. Alexander Glenn  
P. O. Box 14042  
100 Central Avenue  
St. Petersburg, FL 33733-4042

Office of Public Counsel  
Patricia Christensen/J. R. Kelly/C. J. Rehwinkle  
c/o The Florida Legislature  
111 West Madison Street, #812  
Tallahassee, FL 32399-1400

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

CERTIFICATE OF SERVICE  
DOCKET NO. 090001-EI  
PAGE 2

James Beasley and Lee Willis, Esquires  
Ausley & McMullen Law Firm  
P. O. Box 391  
Tallahassee, FL 32302

Vicki Gordon Kaufman/Jon C. Moyle, Jr.  
Keefe Anchors Gordon & Moyle, PA  
118 N Gadsden St  
Tallahassee, Florida 32301-1508

Capt. Al Jungels  
Federal Executive Agencies  
c/o AFCESA/JACL-ULT  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403-5319

Office of Attorney General  
Cecilia Bradley  
The Capitol – PL01  
Tallahassee, FL 32399-1050

White Springs Agricultural Chemicals, Inc.  
P.O. Box 300  
White Springs, FL 32096

R. Scheffel Wright/John LaVia  
c/o Florida Retail Federation  
Young Law Firm  
225 South Adams Street, Suite 200  
Tallahassee, FL 32301

Capt. Shayla L. McNeill/  
Atty Karen S. White  
Federal Executive Agencies  
c/o AFCESA/JACL-ULT  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403-5319

/s/ Al Taylor  
F. Alvin Taylor

090001

FPSC, CLK - CORRESPONDENCE

~~Administrative~~ / Parties Consumer**Dorothy Menasco**

**From:** Filings@psc.state.fl.us  
**Sent:** Wednesday, April 15, 2009 5:40 PM  
**To:** 'john.butler@fpl.com'  
**Subject:** FW: Electronic Filing / Dkt #090001 / FPL's letter notification of compliance with Order PSC-09-0024-FOF-EI  
**Attachments:** 4.15.09 Transmittal Letter to Cole..doc; 4.15.09.Transmittal Letter to Cole.pdf; Attachment 1.split calc for billing.xls

DOCUMENT NO. 00052.09

DISTRIBUTION: \_\_\_\_\_

Mr. Butler

We have received the attachments referenced in your e-filing below. Please note that per Commission e-filing requirements, any cover letter or certificate of service must be included in the electronic document to which it relates, and shall not be submitted as a separate attachment to the email.

A link to the Commission's e-filing requirements is included for your convenience: <http://www.psc.state.fl.us/dockets/e-filings/>

Your filing will need to be revised and resubmitted in order to be eligible for electronic filing.

Please feel free to call our office if you have any questions.

*Dorothy Menasco*  
*Chief Deputy Commission Clerk*  
*Florida Public Service Commission*  
*Office of Commission Clerk*  
*850-413-6770*

---

**From:** Butler, John [mailto:John.Butler@fpl.com]  
**Sent:** Wednesday, April 15, 2009 4:47 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** 'jbeasley@ausley.com'; 'lwillis@ausley.com'; 'jas@beggslane.com'; 'rab@beggslane.com'; 'srg@beggslane.com'; 'jbrew@bbrslaw.com'; 'jmcwhirter@mac-law.com'; 'nhorton@lawfla.com'; 'Kelly.jr@leg.state.fl.us'; Charles Rehwinkel; Charles Beck; 'john.burnett@pgnmail.com'; Lisa Bennett; Keino Young; Jean Hartman; 'mcglothlin.joseph@leg.state.fl.us'; 'jmoyle@kagmlaw.com'; 'vkaufman@kagmlaw.com'; 'swright@yvlaw.net'; 'jlavia@yvlaw.net'; 'shayla.mcneill@tyndall.af.mil'  
**Subject:** Electronic Filing / Dkt #090001 / FPL's letter notification of compliance with Order PSC-09-0024-FOF-EI

### Electronic Filing

a. Person responsible for this electronic filing:

John T. Butler, Esq.  
 700 Universe Boulevard  
 Juno Beach, FL 33408  
 561-304-5639  
[John.Butler@fpl.com](mailto:John.Butler@fpl.com)

b. Docket No. 090001 - EI  
 In RE: Fuel and purchased power cost recovery clause with generating performance incentive factor

c. The Document is being filed on behalf of Florida Power & Light Company.

4/15/2009

d. There are a total of 2 pages.

e. The document attached for electronic filing is Florida Power & Light Company's notification of compliance with the customer refund required by Order No. PSC-09-0024-FOF-EI, together with Attachment 1 to the letter.

John T. Butler  
Managing Attorney  
Florida Power & Light Company  
(561) 304-5639  
(561) 691-7135 Fax  
[John.Butler@fpl.com](mailto:John.Butler@fpl.com)

**Kimberley Pena**

090001

**From:** Kimberley Pena  
**Sent:** Monday, February 16, 2009 8:17 AM  
**To:** 'x7525w@yahoo.com'  
**Subject:** RE: Complaint: Progress Energy charging 25% more for our electricity than customers of Florida Power & Light Co

Per this e-mail, we will add you as an interested person in the mailing list for dockets 090001 and 090009. Please let me know if I can be of further help.

Thank you for contacting the Florida Public Service Commission.

Kimberley M. Peña  
 Chief Deputy Commission Clerk  
 Office of Commission Clerk  
 Florida Public Service Commission  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850  
 (850) 413-6770

*Done  
 02/16/09  
 kmf*

---

**From:** Mark Ballast [mailto:x7525w@yahoo.com]  
**Sent:** Sunday, February 15, 2009 10:34 AM  
**To:** Filings@psc.state.fl.us  
**Subject:** Complaint: Progress Energy charging 25% more for our electricity than customers of Florida Power & Light Co

Please register my name as a complainant regarding this issue.

Florida Power ACCOUNT NUMBER: 78732 21103  
 Mark Ballast  
 2965 Longbrooke Way  
 Clearwater, FL 33760  
 x7525w@yahoo.com

FPSC, CLK - CORRESPONDENCE  
Administrative ~~X~~ Parties Consumer  
 DOCUMENT NO. 00052-09  
 DISTRIBUTION: \_\_\_\_\_

2/16/2009

**\*\*CLK OFFICIAL DOCUMENT...\*\***

**Kimberley Pena**

---

**From:** postmaster@PSC.STATE.FL.US  
**Sent:** Monday, February 16, 2009 8:17 AM  
**To:** Kimberley Pena  
**Subject:** Delivery Status Notification (Relay)

**Attachments:** ATT57063.txt; RE: Complaint: Progress Energy charging 25% more for our electricity than customers of Florida Power & Light Co



ATT57063.txt RE: Complaint:  
(226 B) rogress Energy.

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

x7525w@yahoo.com

**Dorothy Menasco**

**From:** Filings@psc.state.fl.us  
**Sent:** Friday, January 16, 2009 4:08 PM  
**To:** 'davis.phyllis@leg.state.fl.us'  
**Cc:** Kimberley Pena  
**Subject:** FW: 090001-EI Electronic Filing  
**Attachments:** 090001 Notice of Service 1-16-09

**FPSC, CLK - CORRESPONDENCE**  
 \_\_\_Administrative\_\_\_  **Parties** \_\_\_Consumer\_\_\_  
**DOCUMENT NO.** 00052-09  
**DISTRIBUTION:** \_\_\_\_\_

We are in receipt of the attached document, however we are unable to open the document to print it.

- The attachment containing the document to be filed must be in one of the following formats:
  - a. Adobe .PDF
  - b. Native word processing format (e.g., Word or WordPerfect) with numbered paragraphs. Use the document extension .doc for documents filed in Word format and .wpd for those in WordPerfect format.

Your attachment will need to be resubmitted in order to be considered an official filing.

Please see e-filing requirements at the Commission's website for further information:

<http://www.psc.state.fl.us/dockets/e-filings/>

Thank you for assistance.

*Dorothy Menasco*  
 FPSC  
 Office of Commission Clerk  
 850-413-6770

---

**From:** DAVIS.PHYLLIS [mailto:DAVIS.PHYLLIS@leg.state.fl.us]  
**Sent:** Friday, January 16, 2009 3:56 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Charles Beck; CHRISTENSEN.PATTY; Cecilia Bradley; Cheryl Martin; J. Beasley; James W. Brew; Jean Hartman; Jeffery A. Stone; John McWhirter; John T. Burnett; John T. Butler; Karen White; Keino Young; Lee Willis; Lisa Bennett; Norman H. Horton; Paul Lewis, Jr.; Paula K. Brown; Shayla McNeill; Susan Ritenour; Wade Litchfield  
**Subject:** 090001-EI Electronic Filing

Electronic Filing

a. Person responsible for this electronic filing:

Charlie Beck, Deputy Public Counsel  
 Office of Public Counsel  
 c/o The Florida Legislature  
 111 West Madison Street, Room 812  
 Tallahassee, FL 32399-1400  
 (850) 488-9330  
[beck.charles@leg.state.fl.us](mailto:beck.charles@leg.state.fl.us)

b. Docket No. 090001-EI

In Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor  
 1/16/2009

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of 3 pages.

e. The document attached for electronic filing is Citizens' Notice of Service of Citizens First Request for Production of Documents to Florida Power & Light company (Nos. 1-4)

Phyllis W. Philip-Guide  
Office of Public Counsel  
Telephone: (850) 488-9330  
Fax: (850) 488-4491



**Dorothy Menasco**

---

**From:** Filings@psc.state.fl.us  
**Sent:** Monday, January 05, 2009 2:39 PM  
**To:** 'Ann Bassett'  
**Cc:** Kimberley Pena  
**Subject:** RE: FW: 090001-EI

**FPSC, CLK - CORRESPONDENCE**  
Administrative  Parties  Consumer  
**DOCUMENT NO.** 00052-09  
**DISTRIBUTION:** \_\_\_\_\_

Ms. Bassett:

Thank you for the clarification. Just as a follow-up, the e filing received at 11:27 a.m. did not include an attachment and was not accepted as an official filing. The e filing received at 11:29 a.m. included the filing that was missing from the 11:27 a.m. filing, and has been accepted as an official filing.

Have a good afternoon.

*Dorothy Menasco*  
FPSC  
Office of Commission Clerk  
850-413-6770

---

**From:** Ann Bassett [mailto:abassett@lawfla.com]  
**Sent:** Monday, January 05, 2009 1:50 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Re: FW: 090001-EI

Ms. Menasco,

Sorry for the confusion. I was too quick to hit the send button on the first filing and I clean forgot to attach my document, so I immediately did another e-mail which included my attachment. Thank you for contacting me. Please let me know if you have any other questions.

Ann Bassett  
Messer, Caparello & Self, P.A.  
2618 Centennial Place (32308)  
P.O. Box 15579  
Tallahassee, FL 32317  
Direct Phone: 850-201-5225  
Fax No. 850-224-4359  
Email Address: <abassett@lawfla.com>  
Web Address: <[www.lawfla.com](http://www.lawfla.com)>

1/5/2009

**PARTIES****Dorothy Menasco**

---

**From:** Filings@psc.state.fl.us  
**Sent:** Monday, January 05, 2009 1:43 PM  
**To:** 'abassett@lawfla.com'  
**Cc:** Kimberley Pena  
**Subject:** FW: 090001-EI

Ms. Bassett:

We received the e-filing cover page below, however there was no attachment included. We received another e-filing from you at 11:29 a.m. It appears to be this same e-filing transmittal cover page below, however, it includes a filing. Do that filing take the place of this filing? Thank you for your assistance.

*Dorothy Menasco*  
 FPSC  
 Office of Commission Clerk  
 850-413-6770

---

**From:** Ann Bassett [mailto:abassett@lawfla.com]  
**Sent:** Monday, January 05, 2009 11:26 AM  
**To:** Filings@psc.state.fl.us  
**Subject:** 090001-EI

The person responsible for this electronic filing is:

Norman H. Horton, Jr.  
 Messer, Caparello & Self, P.A.  
 P.O. Box 15579  
 Tallahassee, FL 32317  
 (850) 222-0720  
[nhorton@lawfla.com](mailto:nhorton@lawfla.com)

The Docket No. is 090001-EI Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor

This is being filed on behalf of Florida Public Utilities Company

Total Number of Pages is 3

Florida Public Utilities Company's Notice of Reaffirming Party Status

Ann Bassett  
 Messer, Caparello & Self, P.A.  
 2618 Centennial Place (32308)  
 P.O. Box 15579  
 Tallahassee, FL 32317  
 Direct Phone: 850-201-5225  
 Fax No. 850-224-4359  
 Email Address: <[abassett@lawfla.com](mailto:abassett@lawfla.com)>  
 Web Address: <[www.lawfla.com](http://www.lawfla.com)>

DOCUMENT NUMBER-DATE

00052 JAN-5 8

1/5/2009

FPSC-COMMISSION CLERK