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COMMISSION  
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March 9, 2009

**-VIA HAND DELIVERY -**

Ms. Ann Cole, Director  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket No. 090001-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 Fuel Cost Recovery and Capacity Cost Recovery True-Ups for the Period Ending December 2008, and Florida Power & Light Company's Request for Confidential Classification of Short Term Capacity Payments Information, together with a CD containing the electronic version of same.

I am also enclosing one highlighted and two redacted copies of the document that is the subject of this confidentiality request.

Also enclosed for filing are the original and fifteen (15) copies of the prefiled testimony and documents of Florida Power & Light Company witness Terry J. Keith.

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

Sincerely,

*Damaris Rodriguez for*

John T. Butler

COM \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
RCP \_\_\_\_\_ Enclosure  
SSC \_\_\_\_\_ cc: Counsel for Parties of Record (w/encl.)  
SGA \_\_\_\_\_  
ADM \_\_\_\_\_  
CLK \_\_\_\_\_

DOCUMENT NUMBER-DATE

01911 MAR-98

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and Purchase Power )  
Cost Recovery Clause and Generating )  
Performance Incentive Factor )

Docket No. 090001-EI

Filed: March 9, 2009

**PETITION FOR APPROVAL OF FUEL COST RECOVERY AND  
CAPACITY COST RECOVERY NET TRUE-UPS  
FOR THE PERIOD ENDING DECEMBER 2008**

Florida Power & Light Company ("FPL") hereby petitions this Commission for approval of FPL's Net Fuel and Purchased Power Cost Recovery ("FCR") true-up amount of \$79,321,012 under-recovery, and Net Capacity Cost Recovery ("CCR") true-up amount of \$14,920,089 under-recovery, both for the period ending December 2008. In support of this Petition, FPL states as follows:

1. The \$79,321,012 net FCR true-up 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. This calculation and the supporting documentation are contained in the prepared testimony and exhibits of FPL witness Terry J. Keith, which are being filed together with the Petition and are incorporated herein by reference.

2. By Order No. PSC-08-0825-PCO-EI, the Commission approved FCR Factors for the period commencing January 2009. These factors reflected an estimated/actual true-up under-recovery, including interest, for the period January 2008 through December 2008 of \$176,284,378 which was approved in Order No. PSC-08-0824-FOF-EI. The actual under-recovery, including interest, for the period January 2008 through December 2008 is

\$255,605,390. The \$255,605,390 actual under-recovery, less the estimated/actual under-recovery of \$176,284,378, which is currently reflected in charges for the period beginning January 2009, results in a net FCR true-up under-recovery of \$ 79,321,012 that is to be included in the calculation of the FCR Factors for the period beginning January 2010.

3. The \$14,920,089 net CCR true-up 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. This calculation and the supporting documentation are contained in the prepared testimony and exhibits of FPL witness Terry J. Keith.

4. By Order No. PSC-08-0824-FOF-EI, the Commission approved CCR Factors for the period commencing January 2009. These factors reflected an estimated/actual true-up under-recovery, including interest, for the period January 2008 through December 2008 of \$26,832,716, which was also approved in Order No. PSC-08-0824-FOF-EI. The actual under-recovery, including interest, for the period January 2008 through December 2008 is \$41,752,805. The \$41,752,805 actual under-recovery, less the estimated/actual under-recovery of \$26,832,716, which is currently reflected in charges for the period beginning January 2009, results in a net CCR true-up under-recovery of \$14,920,089 that is to be included in the calculation of the CCR Factors for the period beginning January 2010.

WHEREFORE, Florida Power & Light Company respectfully requests the Commission to approve FPL's net FCR true-up amount of \$79,321,012 under-recovery and authorize the inclusion of this amount in the calculation of the FCR Factors for the period beginning January 2010 and to approve FPL's net CCR true-up amount of \$14,920,089 under-recovery for the period ending December 2008 and authorize the inclusion of this amount in the calculation of the CCR Factors for the period beginning January 2010.

Respectfully submitted,

R. Wade Litchfield, Esq.  
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BY: Damaris Rodriguez for  
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**

**Docket No. 090001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Power & Light Company Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery Net True-Ups for the Period Ending December 2008 was served by hand delivery (\*) or United States mail on this 9<sup>th</sup> day of March, 2009, to the following persons:

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