

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF HEARING

TO

FLORIDA POWER & LIGHT COMPANY

PROGRESS ENERGY FLORIDA, INC.

OFFICE OF PUBLIC COUNSEL

SOUTHERN ALLIANCE FOR CLEAN ENERGY, INC.

FLORIDA INDUSTRIAL POWER USERS GROUP

PCS PHOSPHATE – WHITE SPRINGS

FEDERAL EXECUTIVE AGENCIES

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 090009-EI

NUCLEAR COST RECOVERY CLAUSE.

ISSUED: August 14, 2009

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission will hold a public hearing in the above docket at the following time and place:

9:30 a.m. (ET), September 8 - 11, 2009\*  
Betty Easley Conference Center, Room 148  
4075 Esplanade Way  
Tallahassee, Florida

\*The starting times on September 9, 10, and 11, 2009 will be announced at the conclusion of the hearing on September 8, 9, and 10, respectively. The hearing may be adjourned early if all testimony is concluded.

DOCUMENT NUMBER-DATE

08471 AUG 14 8

FPSC-COMMISSION CLERK

PURPOSE AND PROCEDURE

The purpose of this hearing shall be to receive testimony and exhibits relative to issues and subjects, including, but not limited to, the following:

**Policy and Legal Issues:**

Should over or under collections in the Capacity Cost Recovery Clause be included in the calculation of recoverable costs in the NCRC?

When a utility elects to defer recovery of some or all of the costs that the Commission approves for recovery through the Capacity Cost Recovery Clause, what carrying charge should accrue on the deferred balance?

Should FPL and PEF be permitted to record in rate base the incremental difference between allowance for Funds Used During Construction (AFUDC) permitted by Section 366.93, F.S. and their respective most currently approved AFUDC, for recovery when their respective nuclear plants enter commercial operation?

**Florida Power & Light Company's Specific Issues:**

Should the Commission find that for the years 2006 and 2007, FPL's accounting and costs oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project?

Should the Commission find that for the years 2006 and 2007, FPL's project management, contracting, and oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project?

Should the Commission find that for the year 2008, FPL's accounting and costs oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project and the Extended Power Uprate project?

Should the Commission find that for the year 2008, FPL's project management, contracting, and oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project and the Extended Power Uprate project?

Is FPL's decision in 2008 to pursue an alternative to an Engineering Procurement Construction (EPC) contract for the Turkey Point 6 & 7 project prudent and reasonable?

Should the Commission approve what FPL has submitted as its annual detailed analyses of the long-term feasibility of completing the Turkey Point 6 & 7 project, as provided for in Rule 25-6.0423, F.A.C?

If the Commission does not approve FPL's long term feasibility analyses of Turkey Point 6 & 7, what further action, if any, should the Commission take?

Should the Commission approve what FPL has submitted as its annual detailed analyses of the long-term feasibility of completing the EPU project, as provided for in Rule 25-6.0423, F.A.C?

What system and jurisdictional amounts should the Commission approve as FPL's final 2008 prudently incurred costs for the Extended Power Uprate project?

Are FPL's 2008 actual, 2009 actual/estimated and 2010 projected EPU project costs separate and apart from the nuclear costs that would have been necessary to provide safe and reliable service had there been no EPU project?

What system and jurisdictional amounts should the Commission approve as FPL's reasonable actual/estimated 2009 costs for the Extended Power Uprate project?

What system and jurisdictional amounts should the Commission approve as FPL's reasonably projected 2010 costs for the Extended Power Uprate project?

What system and jurisdictional amounts should the Commission approve as FPL's final 2006 and 2007 prudently incurred costs for the Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as FPL's final 2008 prudently incurred costs for the Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as reasonably estimated 2009 costs for FPL's Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2010 costs for FPL's Turkey Point Units 6 & 7 project?

What is the total jurisdictional amount to be included in establishing FPL's 2010 Capacity Cost Recovery Clause factor?

**Progress Energy Florida, Inc's Specific Issues:**

Should the Commission find that for the years 2006 and 2007, PEF's accounting and costs oversight controls were reasonable and prudent for the Levy Units 1 & 2 project?

Should the Commission find that for the years 2006 and 2007, PEF's project management, contracting, and oversight controls were reasonable and prudent for the Levy Units 1 & 2 project?

Should the Commission find that for the year 2008, PEF's project management, contracting, and oversight controls were reasonable and prudent for the Levy Units 1 & 2 project and the Crystal River Unit 3 Uprate project?

Was it reasonable and prudent for PEF to execute its EPC contract at the end of 2008? If the Commission finds that this action was not reasonable and prudent, what actions, if any, should the Commission take?

Should the Commission find that for the year 2008, PEF's accounting and costs oversight controls were reasonable and prudent for the Levy Units 1 & 2 project and the Crystal River Unit 3 Uprate project?

Should the Commission approve what PEF has submitted as its annual detailed analysis of the long-term feasibility of continuing construction and completing the Levy Units 1 & 2 project, as provided for in Rule 25-6.0423, F.A.C., and Order No. PSC-08-0518-FOF-EI (Determination of Need Order)?

If the Commission does not approve PEF's long term feasibility analysis of Levy Units 1 & 2, what further action, if any, should the Commission take?

What further steps, if any, should the Commission require PEF to take regarding Levy Units 1 & 2?

Should the Commission approve what PEF has submitted as its annual detailed analysis of the long-term feasibility of completing the Crystal River Unit 3 Uprate project, as provided for in Rule 25-6.0423, F.A.C?

What system and jurisdictional amounts should the Commission approve as PEF's final 2008 prudently incurred costs for the Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as PEF's reasonably estimated 2009 costs for the Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as PEF's reasonably projected 2010 costs for the Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as PEF's final 2006 and 2007 prudently incurred costs for the Levy Units 1 & 2 project as filed in Docket No. 080009-EI?

What system and jurisdictional amounts should the Commission approve as PEF's final 2008 prudently incurred costs for the Levy Units 1 & 2 project?

What system and jurisdictional amounts should the Commission approve as reasonably estimated 2009 costs for PEF's Levy Units 1 & 2 project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2010 costs for PEF's Levy Units 1 & 2 project?

Should the Commission approve PEF's alternative cost recovery proposal, as set forth in PEF's Petition and supporting Testimony, as to recovery of NCRC costs?

- If the answer is yes, what is the total jurisdictional amount to be included in establishing PEF's 2010 Capacity Cost Recovery Clause factor?
- If the answer is no, what is the total jurisdictional amount to be included in establishing PEF's 2010 Capacity Cost Recovery Clause factor?

The Commission may consider any other matters or motions that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement.

ORDER OF PRESENTATION

The order of presentation of witnesses shall be set forth in the prehearing order to be issued in this docket.

PREFILED TESTIMONY

Testimony, exhibits, and data relative to the issues above shall be prefiled as set forth in the Order Establishing Procedure issued in this docket.

JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes, including Section 366.93, Florida Statutes. This hearing will be governed by said Chapter as well as Chapter 120, Florida Statutes, and Rules 25-6.0423, 25-22, and 28-106, Florida Administrative Code.

PRACTICE AND PROCEDURE

At the hearing, all parties shall be given the opportunity to be heard and to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on August 20, 2009. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

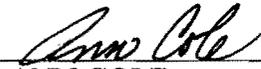
EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1 (800) 955-8771 (TDD).

NOTICE OF HEARING  
DOCKET NO. 090009-EI  
PAGE 7

By DIRECTION of the Florida Public Service Commission this 14th day of August,  
2009.



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ANN COLE  
Commission Clerk

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