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John T. Butler
Managing 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 20, 2009

-VIA HAND DELIVERY -

Ms. Ann Cole
Commission Clerk
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 the petition of Florida Power & Light Company for Approval of its Levelized Fuel Cost Recovery Factors and Capacity Cost Recovery Factors for January through December 2010, together with a CD containing the electronic version of same.

Also enclosed for filing are the original and (15) fifteen copies of the prefiled testimony and exhibits of Florida Power & Light Company witnesses T.J. Keith, G. Yupp, and J. A. Stall.

Finally, I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Request for Confidential Classification of Short Term Capacity Payment Information together with a CD containing the electronic version of same. Copies of Schedule E12 containing highlighted and unredacted confidential information are enclosed with the original of the Request.

Please note that Exhibit D to the Request for Confidential Classification, the affidavit of Gerard J. Yupp, is a copy. The original will be provided under separate cover.

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

Sincerely,

John T. Butler

Enclosure

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

DOCUMENT NUMBER-DATE

08716 AUG 20 8

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COM	_____
ECR	<u>5</u>
FCL	<u>1+CD</u>
DPC	_____
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power Cost) Docket No. 090001-EI
Recovery Clause and Generating)
Performance Incentive Factor) Filed: August 20, 2009
_____)

**PETITION OF FLORIDA POWER & LIGHT COMPANY FOR APPROVAL OF
ITS LEVELIZED FUEL COST RECOVERY FACTORS AND CAPACITY COST
RECOVERY FACTORS FOR JANUARY THROUGH DECEMBER 2010**

Florida Power & Light Company ("FPL"), pursuant to Order No. 9273 in Docket No. 74680-CI, Order No. 10093 in Docket No. 810001-EU, and Commission Directives of April 24 and April 30, 1980, hereby petitions the Commission (1) to approve (a) 3.813 cents per kWh as its levelized Fuel and Purchased Power Cost Recovery ("FCR") charge for non-time differentiated rates and 4.305 cents per kWh and 3.590 cents per kWh as its levelized FCR charges for the on-peak and off-peak periods, respectively, as its time differentiated rates for the January 2010 through December 2010 billing period; and (b) the Capacity Cost Recovery ("CCR") factors submitted as Attachment I to this Petition for the January 2010 through December 2010 billing period, with all such charges and factors to become effective starting with meter readings scheduled to be read on or after Cycle Day 1 and with the charges and factors described in (a) and (b) to remain in effect until modified by subsequent order of this Commission; and (2) to approve FPL's revised estimated/actual FCR true-up of \$444,164,222 over-recovery and revised estimated/actual CCR true-up of \$55,988,146 under-recovery, both of which incorporate actual data through July 2009. In support of this Petition, FPL incorporates the prepared written testimony and exhibits of FPL witnesses T.J. Keith, G. J. Yupp and J.A. Stall, and FPL states as follows:

DOCUMENT NUMBER-DATE
08716 AUG 20 8
FPSC-COMMISSION CLERK

FCR Factors

1. The calculation of FCR Factors for the period January 2010 through December 2010 are contained in Commission Schedules E1-E10 and H1 (designated Minimum Filing Requirements by the Commission's April 24, 1989, Directive), which are attached as Appendix II to the testimony of FPL witness T.J. Keith.

2. The revised estimated/actual \$444,164,222 FCR over-recovery for the period January 2009 through December 2009 was calculated in accordance with the methodology set forth in Schedule 1, page 2 of 2, attached to Order 10093, dated June 19, 1981. This estimated/actual FCR over-recovery has been revised from that filed on August 4, 2009 to reflect July 2009 actual data. The supporting documentation is contained in the prepared testimony and exhibit of Mr. Keith.

3. FPL's total FCR over-recovery is \$364,843,209. This consists of the \$444,164,222 revised estimated/actual over-recovery for 2009 plus the final under-recovery of \$79,321,012 for the period ending December 2008 filed on March 9, 2009. This total over-recovery of \$364,843,209 is to be carried forward and included in the fuel factor for January 2010 through December 2010.

CCR Factors

4. The calculation of FPL's CCR Factors for the period January 2010 through December 2010 is shown in Attachment I to this Petition.

5. The revised estimated/actual \$55,988,146 CCR under-recovery for the period January 2009 through December 2009 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 estimated/actual CCR under-recovery has been revised from that filed on August 4, 2009 to reflect July 2009 actual data. The supporting documentation is contained in the prepared testimony and exhibit of Mr. Keith.

6. FPL's total CCR under-recovery is \$70,908,235. This consists of the \$55,988,146 revised estimated/actual under-recovery for 2009 plus the final under-recovery of \$14,920,089 for the period ending December 2008 filed on March 9, 2009. This total under-recovery of \$70,908,235 is to be carried forward and included in the CCR Factors for January 2010 through December 2010.

7. FPL's preliminary residential bill for 1,000 kWh for the period January 2010 through December 2010 is \$100.41. This preliminary bill includes the proposed FCR charge of \$34.96 and the proposed CCR charge of \$6.21. Since FPL's proposed 2010 environmental and conservation charges are not yet available and neither the 2010 base rate charges nor the 2010 storm charge have been approved, FPL's preliminary 2010 residential 1,000 kWh bill amount of \$100.41 is based on Exhibit RBD-2, which was updated on August 20, 2009 in Docket No. 080677-EI and also incorporates FPL's proposed FCR and CCR charges for 2010. FPL's preliminary residential bill for 1,000 kWh for the period January 2010 through December 2010 is shown on Schedule E10 in Appendix II to the testimony of FPL witness T.J. Keith.

WHEREFORE, FPL respectfully requests this Commission (1) to approve (a) 3.813 cents per kWh as its levelized FCR charge for non-time differentiated rates and 4.305 cents per kWh and 3.590 cents per kWh as its levelized FCR charges for the on-peak and off-peak periods, respectively, as its time differentiated rates for the January 2010 through December 2010 billing period; and (b) the CCR factors submitted as Attachment I to this Petition for the January 2010 through December 2010 billing period, with all such charges and factors to become effective starting with meter readings scheduled to be read on Cycle Day 1 and with the charges and factors described in (a) and (b) to remain in effect until modified by subsequent order of this Commission; (2) to approve FPL's revised 2009 estimated/actual FCR true-up of \$444,164,222 over-recovery and revised 2009 estimated/actual CCR true-up of \$55,988,146 under-recovery, both of which incorporate actual data through July 2009.

FLORIDA POWER & LIGHT COMPANY
 CALCULATION OF CAPACITY PAYMENT RECOVERY FACTOR
 JANUARY 2010 THROUGH DECEMBER 2010

Rate Schedule	(1) Percentage of Sales at Generation (%)	(2) Percentage of Demand at Generation (%)	(3) Energy Related Cost (\$)	(4) Demand Related Cost (\$)	(5) Total Capacity Costs (\$)	(6) Projected Sales at Meter (kwh)	(7) Billing KW Load Factor ,(%)	(8) Projected Billed KW at Meter (kw)	(9) Capacity Recovery Factor (\$/kw)	(10) Capacity Recovery Factor (\$/kwh)
RS1/RST1	51.75337%	56.57483%	\$22,966,102	\$301,268,113	\$324,234,215	52,217,498,280	-	-	-	0.00621
GS1/GST1/WIES1	5.71763%	6.15059%	\$2,537,259	\$32,752,689	\$35,289,948	5,768,906,942	-	-	-	0.00612
GSD1/GSDT1/HLFT1 (21-499 kW)	24.09653%	22.17695%	\$10,693,089	\$118,095,027	\$128,788,116	24,314,106,089	49.88910%	66,762,065	1.93	-
OS2	0.01313%	0.01525%	\$5,826	\$81,215	\$87,041	13,561,632	-	-	-	0.00642
GSLD1/GSLDT1/CS1/CST1/HLFT2 (500-1,999 kW)	10.76618%	9.59367%	\$4,777,606	\$51,087,477	\$55,865,083	10,871,856,337	61.65224%	24,156,387	2.31	-
GSLD2/GSLDT2/CS2/CST2/HLFT3 (2,000+ kW)	2.01987%	1.60433%	\$896,339	\$8,543,255	\$9,439,594	2,052,798,432	65.89883%	4,267,227	2.21	-
GSLD3/GSLDT3/CS3/CST3	0.22253%	0.16141%	\$98,751	\$859,507	\$958,258	234,597,527	69.73597%	460,833	2.08	-
ISST1D	0.00000%	0.00000%	\$0	\$0	\$0	0	40.50671%	0	**	-
ISST1T	0.00000%	0.00000%	\$0	\$0	\$0	0	16.96998%	0	**	-
SST1T	0.12455%	0.07550%	\$55,272	\$402,069	\$457,341	131,305,945	16.96998%	1,059,937	**	-
SST1D1/SST1D2/SST1D3	0.00687%	0.00480%	\$3,048	\$25,548	\$28,596	7,094,737	40.50671%	23,993	**	-
CILC D/CILC G	3.13089%	2.38372%	\$1,389,366	\$12,693,598	\$14,082,964	3,182,827,924	73.47456%	5,934,079	2.37	-
CILC T	1.42605%	1.00992%	\$632,822	\$5,377,975	\$6,010,797	1,503,359,195	77.03476%	2,673,334	2.25	-
MET	0.07706%	0.08170%	\$34,197	\$435,087	\$469,284	79,605,290	57.09909%	190,981	2.46	-
OL1/SL1/PL1	0.56862%	0.11350%	\$252,330	\$604,389	\$856,719	573,716,639	-	-	-	0.00149
SL2/GSCU1	0.07671%	0.05383%	\$34,040	\$286,642	\$320,682	77,397,030	-	-	-	0.00414
TOTAL			\$44,376,047	\$532,512,593	\$576,888,639	101,028,632,000		105,528,836		

CAPACITY RECOVERY FACTORS FOR STANDBY RATES

Demand =	(Total col 5)/(Doc 2, Total col 7)/(10) (Doc 2, col 4)	
Charge (RDD)	12 months	
Sum of Daily Demand =	(Total col 5)/(Doc 2, Total col 7)/(21 onpeak days) (Doc 2, col 4)	
Charge (DDC)	12 months	
CAPACITY RECOVERY FACTOR		
	RDC	SDD
	** (\$/kw)	** (\$/kw)
ISST1D	\$0.28	\$0.14
ISST1T	\$0.28	\$0.13
SST1T	\$0.28	\$0.13
SST1D1/SST1D2/SST1D3	\$0.28	\$0.14

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

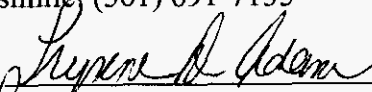
- (1) Obtained from Page 2, Col(8)
- (2) Obtained from Page 2, Col(9)
- (3) (Total Capacity Costs/13) * Col (1)
- (4) (Total Capacity Costs/13 * 12) * Col (2)
- (5) Col (3) + Col (4)
- (6) Projected kwh sales for the period January 2010 through December 2010
- (7) (kWh sales / 8760 hours)/(avg customer NCP)(8760 hours)
- (8) Col (6) / ((7) *730)
- (9) Col (5) / (8)
- (10) Col (5) / (6)

Totals may not add due to rounding

Respectfully submitted,

R. Wade Litchfield, Esq.
Vice President and Chief Regulatory Counsel
John T. Butler, Esq.
Managing Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
Telephone: (561) 304-5639
Facsimile: (561) 691-7135

By:


John T. Butler
for Fla. Bar No. 283479

CERTIFICATE OF SERVICE

Docket No. 090001-EI

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Petition for Approval of the Fuel and Capacity Cost Recovery Factors for the Period January 2010 through December 2010 has been furnished by hand delivery (*) or U.S. Mail on August 20, 2009 to the following:

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

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

John W. McWhirter, Jr., Esq.
McWhirter & Davidson, P.A.
Attorneys for FIPUG
P.O. Box 3350
Tampa, Florida 33602

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

Robert Scheffel Wright, Esq.
Jay T. LaVia, III, Esq.
Young van Assenderp, P.A.
Attorneys for Florida Retail Federation
225 South Adams Street, Suite 200
Tallahassee, FL 32301

Shayla L. McNeill, Capt. USAF
AFLSA/JACL-ULT
Counsel for Federal Executive Agencies
139 Barnes Drive, Ste 1
Tyndall AFB, FL 32403-5319

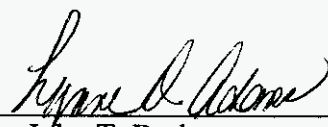
J. R. Kelly, Esq.
Charles J. Rehwinkel, Esq.
Charles Beck, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

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

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

James W. Brew, Esq
Attorney for White Springs
Brickfield, Burchette, Ritts & Stone, The P.C
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201

Jon C. Moyle and Vicki Kaufman
Keefe, Anchors Gordon & Moyle, P.A.
118 N. Gadsden St.
Tallahassee, FL 32301
Co-Counsel for FIPUG

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with generating)
performance incentive factor)

Docket No. 090001-EI
Filed: August 20, 2009

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL
CLASSIFICATION OF SHORT TERM CAPACITY PAYMENTS INFORMATION
PROVIDED IN SCHEDULE E12**

Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information on short term capacity payments contained in Schedule E12 of Appendix III to the prepared testimony of FPL witness T.J. Keith (the "Confidential Information"). In support of its Request, FPL states as follows:

1. This Request is intended to request confidential classification of the Confidential Information consistent with Rule 25-22.006.
2. The following exhibits are included with this Request:
 - a. Composite Exhibit A consists of a highlighted copy of Schedule E12 in which all of the confidential information has been highlighted.
 - b. Composite B consists of two copies of the redacted Schedule E12 in which all of the Confidential Information has been redacted. A copy of Schedule E12 with the confidential information redacted is included in the bound copy of the prepared testimony of FPL witness T.J. Keith.
 - c. Exhibit C is a table containing an identification of the Confidential Information, together with references to the specific statutory bases for the claim of confidentiality and to the affidavit in support of the requested classification.
 - d. Exhibit D is the affidavit of Gerard J. Yupp.

3. FPL seeks confidential protection of short term capacity payments information contained in Schedule E12 because it contains or constitutes data pertinent to FPL's capacity payments for specific counterparties. The disclosure of this information would impair FPL's ability to contract for capacity on favorable terms, see § 366.093(3)(d), Fla. Stat; and because it relates to the competitive interests of FPL and suppliers from whom FPL purchases capacity, the disclosure of which would impair their competitive businesses, see § 366.093(3) (e), Fla. Stat.

4. FPL submits that the Confidential Information is proprietary confidential business information within the meaning of Section 366.093(3). Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from disclosure provisions of the public records law.


5. The Confidential Information is intended to be and is treated by FPL as private, and its confidentiality has been maintained.

6. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information within the Section 366.093(3), pursuant to Section 366.093(4) such information should not be declassified for at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

WHEREFORE, FPL respectfully requests confidential classification of the Confidential Information contained in Schedule E12.

Respectfully submitted,

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

By: 
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 Request for Confidential Classification of Short Term Capacity payments information has been furnished by hand delivery (*) or United States mail this 20th day of August, 2009, to the following:

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

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

John W. McWhirter, Jr., Esq.
McWhirter & Davidson, P.A.
Attorneys for FIPUG
P.O. Box 3350
Tampa, Florida 33602

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

Robert Scheffel Wright, Esq.
Jay T. LaVia, III, Esq.
Young van Assenderp, P.A.
Attorneys for Florida Retail Federation
225 South Adams Street, Suite 200
Tallahassee, FL 32301

Shayla L. McNeill, Capt. USAF
AFLSA/JACL-ULT
Counsel for Federal Executive Agencies
139 Barnes Drive, Ste 1
Tyndall AFB, FL 32403-5319


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

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

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

James W. Brew, Esq
Attorney for White Springs
Brickfield, Burchette, Ritts & Stone, The P.C
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 2007-5201

Jon C. Moyle and Vicki Kaufman
Keefe, Anchors Gordon & Moyle, P.A.
118 N. Gadsden St.
Tallahassee, FL 32301
Co-Counsel for FIPUG

By: 
for John T. Butler
Fla. Bar No. 28347

STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: August 21, 2009

TO: John Butler, Florida Power & Light Company

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 090001 or, if filed in an undocketed matter, concerning certain information on short term capacity payments contained in Schedule E12 of Appendix III to prepared testimony of of witness T.J. Keith, and filed on behalf of Florida Power & Light Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
08717 AUG 20 09
FPSC - COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850
An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us