

**Ruth Nettles**

090001-EI

**From:** John W. McWhirter [johnmac@tampabay.rr.com]  
**Sent:** Monday, September 28, 2009 9:35 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Capt Al Jungels; Capt Shayla McNeill; Cecilia Bradely; Doc Horton; J R Kelly ; James Beasley, Esq.; Jeffrey Stone, Esq.; John Burnett ; John Butler, Esq.; John LaVia, III, Esq.; Jon C Moyle Jr ; Karin S. Torain; Kaufman, Vicki ; Lee Willis, Esq.; Lisa Bennett; Natalie Smith; Patty Christensen, Esq.; Paula K. Brown ; Charles Rehwinkel; Russell Badders, Esq.; Schef Wright; Susan D. Ritenour (Gulf Power); Wade Litchfield, Esq.  
**Subject:** FIPUG Preliminary Issues  
**Attachments:** 09928 FIPUG perliminary issues.doc

Apologize for missing revised date.

1. John W. McWhirter, Jr., PO Box 3350 Tampa, Fl 33601, [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 Adjustment Clause
3. The filing is made on behalf of Florida Industrial Power Users Group
4. The total number of pages is 7and
5. The attached document is FIPUG preliminary list of issues

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DOCUMENT NUMBER-DATE

09998 SEP 29 8

FPSC-COMMISSION CLERK

9/29/2009

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: SEPTEMBER 29th, 2009

FIPUG'S PRELIMINARY LIST OF ISSUES AND POSITIONS

FIPUG hereby files its Preliminary List of Issues and Positions.

**COMPANY SPECIFIC FUEL ADJUSTMENT ISSUES**

**Progress Energy Florida, Inc.**

**ISSUE 1A:** Should the Commission approve as prudent, PEF's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in PEF's April 2009 and August 2009 hedging reports?

**FIPUG POSITION:** No position at this time.

**ISSUE 1B:** Should the Commission approve PEF's 2010 Risk Management Plan?

**FIPUG POSITION:** No position at this time.

**Florida Power & Light Company**

**ISSUE 2A:** Should the Commission approve as prudent, FPL's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in FPL's April 2009 and August 2009 hedging reports?

**FIPUG POSITION:** No position at this time.

**ISSUE 2B:** Should the Commission approve FPL's 2010 Risk Management Plan?

**FIPUG POSITION:** No position at this time.

**ISSUE 2C:** With respect to the February 26, 2008 outages, should FPL or its customers be responsible for \$6,086,178 in replacement power costs associated with the outages?

**FIPUG POSITION:** Pursuant to agreement between OPC and FPL, this issue should be considered in the 2010 fuel docket.

**Florida Public Utilities Company**

**ISSUE 3A:** Has FPUC pursued all reasonable avenues to protect its ratepayers from mid-course increases in fuel and demand charges from JEA in 2009?

DOCUMENT NUMBER-DATE

09998 SEP 29 8

FPSC-COMMISSION CLERK

**FIPUG POSITION:** No position at this time.

**Gulf Power Company**

**ISSUE 4A:** Should the Commission approve as prudent, GULF's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in GULF's April 2009 and August 2009 hedging reports?

**FIPUG POSITION:** No position at this time.

**ISSUE 4B:** Should the Commission approve GULF's 2010 Risk Management Plan?

**FIPUG POSITION:** No position at this time.

**ISSUE 4C:** Should the Commission approve GULF's proposal to include the costs associated with construction and operation of the Perdido landfill Gas to Energy Facility in the fuel clause?

**FIPUG POSITION:** No position at this time.

**Tampa Electric Company**

**ISSUE 5A:** Should the Commission approve as prudent, TECO's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in TECO's April 2009 and August 2009 hedging reports?

**FIPUG POSITION:** No position at this time.

**ISSUE 5B:** Should the Commission approve TECO's 2010 Risk Management Plan?

**FIPUG POSITION:** No position at this time.

**GENERIC FUEL ADJUSTMENT ISSUES**

**ISSUE 6:** What are the appropriate actual benchmark levels for calendar year 2009 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

**FIPUG POSITION:** No position at this time.

**ISSUE 7:** What are the appropriate estimated benchmark levels for calendar year 2010 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

**FIPUG POSITION:** No position at this time.

**ISSUE 8:** What are the appropriate fuel adjustment true-up amounts for the period January 2008 through December 2008?

**FIPUG POSITION:** No position at this time.

**ISSUE 9:** What are the appropriate fuel adjustment true-up amounts for the period January 2009 through December 2009?

**FIPUG POSITION:** No position at this time.

**ISSUE 10:** What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2010 to December 2010?

**FIPUG POSITION:** No position at this time.

**ISSUE 11:** What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January 2010 through December 2010?

**FIPUG POSITION:** No position at this time.

**ISSUE 12:** What are the appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2010 through December 2010?

**FIPUG POSITION:** No position at this time.

**ISSUE 13:** What are the appropriate levelized fuel cost recovery factors for the period January 2010 through December 2010?

**FIPUG POSITION:** No position at this time.

**ISSUE 14:** What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?

**FIPUG POSITION:** No position at this time.

**ISSUE 15:** What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

**FIPUG POSITION:** No position at this time.

**ISSUE 16:** What should be the effective date of the fuel adjustment charge and capacity cost recovery charge for billing purposes?

**FIPUG POSITION:** No position at this time.

**COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR  
ISSUES**

### **Progress Energy Florida, Inc.**

No company-specific issues for Progress Energy Florida, Inc. have been identified at this time. If such issues are identified, they shall be numbered 17A, 17B, 17C, and so forth, as appropriate.

### **Florida Power & Light Company**

No company-specific issues for Florida Power & Light Company have been identified at this time. If such issues are identified, they shall be numbered 18A, 18B, 18C, and so forth, as appropriate.

### **Gulf Power Company**

No company-specific issues for Gulf Power Company have been identified at this time. If such issues are identified, they shall be numbered 19A, 19B, 19C, and so forth, as appropriate.

### **Tampa Electric Company**

No company-specific issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 20A, 20B, 20C, and so forth, as appropriate.

## **GENERIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES**

**ISSUE 21:** What is the appropriate generation performance incentive factor (GPIF) reward or penalty for performance achieved during the period January 2008 through December 2008 for each investor-owned electric utility subject to the GPIF?

**FIPUG POSITION:** No position at this time.

**ISSUE 22:** What should the GPIF targets/ranges be for the period January 2010 through December 2010 for each investor-owned electric utility subject to the GPIF?

**FIPUG POSITION:** No position at this time.

## **COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES**

### **Progress Energy Florida, Inc.**

**ISSUE 23A:** Has PEF included in the capacity cost recovery clause, the nuclear cost recovery amount ordered by the Commission in Docket No. 090009-EI?

**FIPUG POSITION:** No position at this time.

### **Florida Power & Light Company**

**ISSUE 24A:** Has FPL included in the capacity cost recovery clause, the nuclear cost recovery amount ordered by the Commission in Docket No. 090009-EI?

**FIPUG POSITION:** No position at this time.

### **Gulf Power Company**

No company-specific issues for Gulf Power Company have been identified at this time. If such issues are identified, they shall be numbered 25A, 25B, 25C, and so forth, as appropriate.

### **Tampa Electric Company**

No company-specific issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 26A, 26B, 26C, and so forth, as appropriate.

## **GENERIC CAPACITY COST RECOVERY FACTOR ISSUES**

**ISSUE 27:** What are the appropriate capacity cost recovery true-up amounts for the period January 2008 through December 2008?

**FIPUG POSITION:** No position at this time.

**ISSUE 28:** What are the appropriate capacity cost recovery true-up amounts for the period January 2009 through December 2009?

**FIPUG POSITION:** No position at this time.

**ISSUE 30:** What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2010 through December 2010?

**FIPUG POSITION:** No position at this time.

**ISSUE 31:** What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2010 through December 2010?

**FIPUG POSITION:** No position at this time.

**ISSUE 32:** What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2010 through December 2010?

**FIPUG POSITION:** No position at this time.

**ISSUE 33:** What are the appropriate capacity cost recovery factors for the period January 2010 through December 2010?

**FIPUG POSITION:** No position at this time.

Dated this 28th day of September, 2009.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of FIPUG'S preliminary list OF issues and positions was furnished to the following, by electronic on this 28<sup>th</sup> day of September, 2009:

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