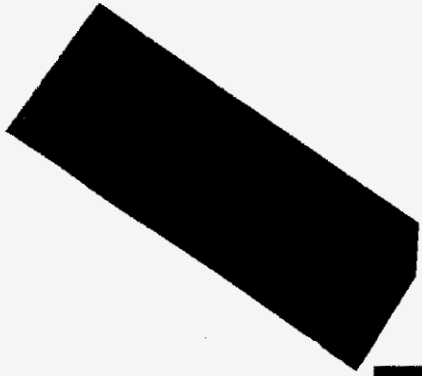


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Richard Unger
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Sarasota FL 34231

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CMS-080477-E1 + 090130-E1
Agenda 12/24/09

DOCUMENT NUMBER-DATE
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FLORIDA PUBLIC SERVICE COMMISSION

SPECIAL COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Wednesday, January 13, 2010, 9:30 a.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: December 24, 2009

NOTICE

To obtain a copy of staff's recommendation for any item on this agenda, contact the Office of Commission Clerk at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

An audio version of the conference is available and can be accessed live on the PSC Website on the day of the Conference. The audio version is available through archive storage for up to three months after the conference.

ITEM NO.

CASE

1

Docket No. 080677-EI – Petition for increase in rates by Florida Power & Light Company.

Docket No. 090130-EI – 2009 depreciation and dismantlement study by Florida Power & Light Company.

Critical Date(s): 03/18/2010 (12-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Klement

Staff: ECR: Prestwood, Barrett, D. Buys, Dowds, Draper, Gardner, Hewitt, Higgins, Kummer, Laux, D. Lee, P. Lee, Lester, Matlock Maurey, Ollila, Piper, A. Roberts, Salnova, Springer, Stallcup, Thompson

GCL: Bennett, Brown, Cowdery, Williams, Young

RAD: Clemence, Garl, K. Lewis, Webb

SSC: Vickery, C. Lewis, Moses

(Participation is limited to Commissioners and Staff.)

Issue 1: Does the Commission have the legal authority to approve a base rate increase using a 2010 projected test year?

Recommendation: Yes. The Commission has the legal authority to approve a base rate increase using a 2010 projected test year. The Supreme Court has long-settled the issue of the use of projected test years and the Commission has exercised its authority to use projected test years where appropriate.

Issue 2: Is FPL's projected test period of the 12 months ending December 31, 2010, appropriate?

Recommendation: Yes. Staff recommends that the Commission use the projected 2010 year proposed by FPL with the adjustments recommended by staff, as the test year in this case.

Issue 3: Are FPL's forecasts of customers, kWh, and kW by revenue and rate classes for the 2010 projected test year appropriate?

Recommendation: Yes. FPL's forecasts of customers, kWh, and kW by revenue and rate classes for the 2010 projected test year are appropriate.

Issue 4: Does the Commission have the legal authority to approve a subsequent year base rate adjustment using a 2011 projected test year?

Recommendation: Yes. The Commission has the legal authority pursuant to statute, rule and case law, to grant a subsequent year adjustment if the facts warrant such an adjustment. Issue 5 addresses the policy of granting a subsequent year adjustment in this docket. Issue 6 addresses whether there is factual support for a subsequent year adjustment in this docket.