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March 12, 2010

-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

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 COMMISSION CLERK

Re: Docket No. 100001-EI

Dear Ms. Cole:

I am enclosing for filing in the above docket the following:

1. The original and seven (7) copies of Florida Power & Light Company's ("FPL") Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery True-Ups for the Period Ending December 2009.
2. The original and fifteen (15) copies of the prefiled testimony and exhibits of FPL witness Terry J. Keith, in support of the foregoing Petition.
3. The original and seven (7) copies of FPL's Request for Confidential Classification of Short Term Capacity Payments Information. The original includes Exhibits A, B, C and D. Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing separately and marked "**EXHIBIT A**"-**CONFIDENTIAL**. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C contains FPL's justification for its request for confidential classification. Exhibit D contains the affidavit of Gerard Yupp in support of FPL's Request for Confidential Classification. In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a CD containing electronic files of FPL's Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery True-Ups, FPL's Request for Confidential Classification of Short Term Capacity Payments information and Exhibit C.

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

Sincerely,

John T. Butler
 John T. Butler

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FPSC-COMMISSION CLERK

Enclosure
 cc: Counsel for Parties of Record (w/encl.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 100001-EI

Filed: March 12, 2010

**PETITION FOR APPROVAL OF FUEL COST RECOVERY AND
CAPACITY COST RECOVERY NET TRUE-UPS
FOR THE PERIOD ENDING DECEMBER 2009**

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 \$8,771,414 under-recovery, and Net Capacity Cost Recovery ("CCR") true-up amount of \$20,891,498 over-recovery, both for the period ending December 2009. In support of this Petition, FPL states as follows:

1. The \$8,771,414 net FCR true-up 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 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-09-0795-FOF-EI, the Commission approved FCR Factors for the period commencing January 2010. These factors reflected an estimated/actual true-up over-recovery, including interest, for the period January 2009 through December 2009 of \$444,164,222 which was also approved in Order No. PSC-09-0795-FOF-EI. The actual over-recovery, including interest, for the period January 2009 through December 2009 is \$435,392,807. The \$435,392,807 actual over-recovery, less the estimated/actual over-recovery

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of \$444,164,222, which is currently reflected in charges for the period beginning January 2010, results in a net FCR true-up under-recovery of \$8,771,414 that is to be included in the calculation of the FCR Factors for the period beginning January 2011.



3. The \$20,891,498 net CCR true-up over-recovery for the period January 2009 through December 2009 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-09-0795-FOF-EI, the Commission approved CCR Factors for the period commencing January 2010. These factors reflected an estimated/actual true-up under-recovery, including interest, for the period January 2009 through December 2009 of \$55,988,146, which was also approved in Order No. PSC-09-0795-FOF-EI. The actual under-recovery, including interest, for the period January 2009 through December 2009 is \$35,096,648. The \$35,096,648 actual under-recovery, less the estimated/actual under-recovery of \$55,988,146, which is currently reflected in charges for the period beginning January 2010, results in a net CCR true-up over-recovery of \$20,891,498 that is to be included in the calculation of the CCR Factors for the period beginning January 2011.

WHEREFORE, Florida Power & Light Company respectfully requests the Commission to approve FPL's net FCR true-up amount of \$8,771,414 under-recovery and authorize the inclusion of this amount in the calculation of the FCR Factors for the period beginning January 2011 and to approve FPL's net CCR true-up amount of \$20,891,498 over-recovery for the period ending December 2009 and authorize the inclusion of this amount in the calculation of the CCR Factors for the period beginning January 2011.

Respectfully submitted,

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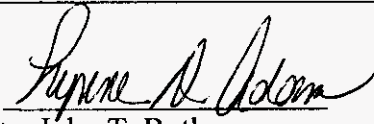
BY: 
 John T. Butler
Fla. Bar No. 283479

CERTIFICATE OF SERVICE
Docket No. 100001-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 2009 has been furnished by hand delivery (*) or United States Mail on this 12th day of March, 2010, to the following persons:

<p>Lisa Bennett, Esq.(*) Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 LBENNETT@PSC.STATE.FL.US</p>	<p>J. R. Kelly, Esq. Patricia Christensen, Esq. Charles Beck, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 Kelly.jr@leg.state.fl.us Christensen.patty@leg.state.fl.us beck.charles@leg.state.fl.us</p>
<p>Lee L. Willis, Esq. James D. Beasley, Esq Ausley & McMullen Attorneys for Tampa Electric P.O. Box 391 Tallahassee, Florida 32302 jbeasley@ausley.com lwillis@ausley.com</p>	<p>John T. Burnett, Esq. Progress Energy Service Company, LLC P.O. Box 14042 St. Petersburg, Florida 33733-4042 john.burnett@pgnmail.com</p>
<p>John W. McWhirter, Jr., Esq McWhirter & Davidson, P.A. Attorneys for FIPUG P.O. Box 3350 Tampa, Florida 33602 jmcwhirter@mac-law.com</p>	<p>Beth Keating, Esq. Akerman, Senterfitt Attorneys for FPUC 106 East College Avenue Suite 1200 Tallahassee, Florida 32301 Beth.keating@akerman.com</p>
<p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power P.O. Box 12950 Pensacola, Florida 32576-2950 jas@beggslane.com rab@beggslane.com</p>	<p>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 jbrew@bbrslaw.com</p>

<p>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 swright@yvlaw.net jlavia@yvlaw.net</p>	<p>Jon C. Moyle and Vicki Kaufman Keefe, Anchors Gordon & Moyle, P.A. 118 N. Gadsden St. Tallahassee, FL 32301 Co-Counsel for FIPUG vkaufman@kagmlaw.com jmoyle@kagmlaw.com</p>
<p>Cecilia Bradley Senior Assistant Attorney General Office of the Attorney General The Capitol - PL01 Tallahassee, FL 32399-1050 cecilia.bradley@myfloridalegal.com</p>	<p>Michael C. Barrett (*) Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 mbarrett@psc.state.fl.us</p>

By: 
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