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RECEIVED FPSC  
10 MAY 24 AM 11:09

Public Service Commission

COMMISSION  
CLERK

May 21, 2010

Mr. Frank Balogh, CEM CEP  
1639 Llewellyn Drive  
Fort Myers, FL 33901

STAFF DATA REQUEST (NO. 2)

**Re: Docket No. 100143-EI, Evaluation of study by Florida Power & Light on prepayment billing option for retail customers**

Dear Mr. Balogh:

By this letter, the Commission staff requests that the Consultants provide responses to the following data requests.

1. On page 2 of your comments filed on March 30, 2010, you state: "It is important and timely to remember the Prepay concept was conceived by FPL and then brought to the field by corporate staff." Please provide a copy of, or a specific reference to, the FPL tariff provision which allowed the prepayment option you describe.
2. In that same paragraph, you further state that "Bonded case availability during this time period when deregulation was considered would allow a 4-5% spread to the governmental customer, arbitrage opportunity." Please explain why this occurs and how the 4-5% spread was calculated.
3. On page 3 of your comments, you discuss an Internal Revenue Service ruling which you allege opened the door to tax-exempt bond financing of Prepay energy contracts. Please provide a copy of this ruling.
4. Does the IRS ruling require utilities to offer prepayment options for monthly bills? If so, does it specify the terms under which such options are to be offered?
5. Please explain how prepayment provides an incentive to conserve energy.
6. You maintain that "so many utilities have different forms of Prepay programs." Please provide a copy of all such tariffs, or other implementation documentation, for these programs which implement the concept you are advocating in this docket.

DOCUMENT NUMBER DATE

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7. Would you agree that prepayment would not shield customers from fluctuations in cost recovery clauses which are set each year? Could it instead, possibly subject customer to large end-of-year true-ups?

Please file the original and five copies of the requested information by Friday, June 4, 2010, with Ms. Ann Cole, Commission Clerk, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Please feel free to call me at (850) 413-6230 if you have any questions.

Sincerely,



Lisa C. Bennett  
Senior Attorney

LCB/th

cc: Office of Commission Clerk  
Office of Public Counsel (J.R. Kelly)  
Florida Power and Light Company (Butler)