

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 100009-EI
ORDER NO. PSC-10-0537-PCO-EI
ISSUED: August 20, 2010

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S MOTION
FOR LEAVE TO REVISE TESTIMONY, EXHIBITS AND APPENDICES
TO CORRECT ERRORS AND REFLECT ACCURATE INFORMATION

On August 16, 2010, Florida Power & Light Company (FPL) filed a Motion for Leave to Revise Testimony, Exhibits and Appendices to Correct Errors and Reflect Accurate Information pursuant to Rule 28-106.204, Florida Administrative Code (F.A.C.) and instructions given during the Prehearing Conference held in the Nuclear Cost Recovery Clause on August 11, 2010.

FPL filed its Nuclear Filing Requirements (NFRs) testimony, exhibits, and appendices in March 2010 and May 2010 in this Docket No. 100009-EI. FPL contends that after filing, it became aware of computation and formula errors in Appendices I, II, and III of March and May 2010's NFRs. FPL asserts that each of the Appendices include spreadsheets that contain formulas that are linked and dependant upon one another. FPL also contends that it located three computation and formula errors in their March and May, 2010 filings. FPL requests leave to revise these errors.

Additionally, FPL asserts that its witnesses have reviewed their own prefiled testimony statements to determine if the statements were accurate. FPL stated that four witnesses, Winnie Powers, Steven Scroggs, Terry Jones, and John Reed, each identified areas for correction within their individual testimony. FPL contends that these witnesses' statements need to be revised in order for FPL's witnesses to be able to affirm accuracy of their prefiled testimony. Based upon the above, FPL request leave to correct witness Powers, Scroggs, Jones, and Reed's prefiled testimony.

FPL also asserts that after correcting the errors in FPL's NFR's Appendices and FPL's witness testimony corrections, in the Prehearing Order at the Prehearing Conference, FPL was required to file a motion requesting leave to refile its errata as revised testimony in the "type and strike" format. FPL contends that it is doing so now pursuant to the Prehearing Order.

FPL contends that the corrections needed to be made pursuant to Rule 28-106.204, F.A.C., to insure that the record is accurate. In addition, FPL has made revisions to comply with the Prehearing Order regarding its witnesses' corrected prefiled testimony. Upon consideration, FPL's Motion for Leave to Revise Testimony, Exhibits and Appendices to Correct Errors and Reflect Accurate Information is granted.

RECEIVED & FILED DATE:

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FPLS-CONSUMER AFFAIRS CLERK

Based on the foregoing, it is

ORDERED by Commissioner Nathan A. Skop, as Prehearing Officer, that Florida Power & Light Company's Motion for Leave to Revise Testimony, Exhibits and Appendices to Correct Errors and Reflect Accurate Information is granted, pursuant to the terms and conditions set forth in this Order.

By ORDER of Commissioner Nathan A. Skop, as Prehearing Officer, this 20th day of August, 2010.



NATHAN A. SKOP
Commissioner and Prehearing Officer

(S E A L)

KY/klj

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.