



Kenneth M. Rubin
 Senior Attorney
 Florida Power & Light Company
 700 Universe Boulevard
 Juno Beach, FL 33408-0420
 (561) 691-2512
 (561) 691-7135 (Facsimile)
 Ken.Rubin@fpl.com

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 COMMISSION
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May 3, 2011

-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

Re: Docket No. 110002-EG

Dear Ms. Cole:

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

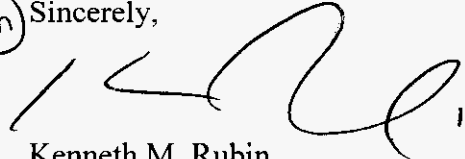
1. The original and seven (7) copies of Florida Power & Light Company's ("FPL") Petition for Approval of Conservation Cost Recovery True-Up for the Period January 2010 through December 2010.
2. The original and fifteen (15) copies of the prefiled testimony and exhibit of FPL witnesses Terry J. Keith and Anita Sharma in support of the foregoing Petition.

Also included herewith is a computer CD containing FPL's Petition for Approval of Conservation Cost Recovery True-up.

Please contact me at 561-691-2512 if you have any questions regarding this filing.

COM _____
 APA _____
 ECR _____
 GCL _____
 RAD _____
 SSC _____
 ADM _____
 OPC _____
 CLK _____

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

5+ CD containing same (petition) Sincerely,


Kenneth M. Rubin

DOCUMENT NUMBER-DATE

03083 MAY-3 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Energy Conservation Cost)
Recovery Clause)
_____)**

Docket No. 110002-EG

Filed: May 3, 2011

**FLORIDA POWER & LIGHT COMPANY'S PETITION FOR APPROVAL OF
ENERGY CONSERVATION COST RECOVERY TRUE-UP FOR THE PERIOD
ENDING DECEMBER 2010**

Pursuant to Order No. PSC-11-0136-PCO-EG, issued on February 28, 2011 in the above-referenced Docket, Florida Power & Light Company ("FPL") petitions the Florida Public Service Commission ("Commission") for approval of an overrecovery of \$9,183,523 as FPL's net true-up amount for the January 2010 through December 2010 Energy Conservation Cost Recovery ("ECCR") final true-up period. In support of this Petition, FPL states as follows:

1. FPL is a public utility subject to the Commission's jurisdiction pursuant to Chapter 366, Florida Statutes. Pursuant to Section 366.82, Florida Statutes, and Rule 25-17.015, Florida Administrative Code, FPL has an ECCR clause through which it recovers its reasonable and prudent unreimbursed costs for conservation audits, conservation programs, and implementation of FPL's conservation plan. FPL has substantial interests in the proper calculation and recovery of its ECCR factor and the final true-up which is used in the computation of FPL's ECCR factor.

2. FPL seeks Commission approval of an overrecovery of \$9,183,523 as the net true-up amount for the period January 2010 through December 2010. FPL's final net true-up for January 2010 through December 2010 was calculated consistently with the methodology set forth in Schedule 1, page 2 of 2, attached to Order No. 10093, dated June 19, 1981. This

DOCUMENT NUMBER-DATE

03083 MAY-3 =

FPSC-COMMISSION CLERK

calculation and the supporting documentation are contained in Exhibit AS-1, an exhibit co-sponsored by witnesses Anita Sharma and Terry J. Keith whose testimonies are being filed contemporaneously with this Petition. Exhibit AS-1 consists of (a) the Energy Conservation Cost Recovery True-Up Reporting Forms that FPL and other utilities were directed to file by the Commission's Electric & Gas Department memorandum dated April 14, 1982, (b) explanatory supplements to certain of the forms, (c) a complete list of account and subaccount numbers used for ECCR as required by Rule 25-17.015(3), Florida Administrative Code, and (d) documentation necessary to support claimed energy savings in conservation advertising as required by Rule 25-17.015(5), Florida Administrative Code.

3. Rule 25-17.015, Florida Administrative Code, provides, in pertinent part, that each utility seeking conservation cost recovery must file "an annual final true-up filing showing the common costs, individual program costs and revenues, and actual total ECCR revenues for the most recent 12-month historical period from January 1 through December 31 that ends prior to the annual ECCR proceedings." For the proceedings scheduled for November 2011, that twelve-month period is January 1, 2010 through December 31, 2010; therefore, FPL's true-up filing is for the twelve months period from January 2010 through December 2010.

4. FPL's current ECCR Factor, approved by the Commission to be applied to customers' bills during the January 2011 through December 2011 period, reflected an actual/estimated true-up underrecovery of \$47,774,401 for the January 2010 through December 2010 period. However, the actual end of period true-up underrecovery for the January 2010 through December 2010 period was \$38,590,879. The net true-up of \$9,183,523 for the period January 2010 through December 2010 is the difference between the actual end of period true-up underrecovery for the January 2010 through December 2010 period of \$38,590,879 and FPL's

approved actual/estimated true-up underrecovery of \$47,774,401. This \$9,183,523 is the amount that should be recovered on jurisdictional sales during FPL's next annual ECCR recovery period.

5. FPL is not aware of any disputed issues of material fact.

6. This is a petition requesting approval of a true-up amount for ECCR; it is not a petition in response to an agency action. Therefore, FPL cannot provide "a statement of when and how the petitioner received notice of the agency decision."

7. The approval of FPL's final ECCR net true-up overrecovery of \$9,183,523 for the period January 2010 through December 2010 is in the public interest. Section 366.82, Florida Statutes, and Rule 25-17.015, Florida Administrative Code, entitle FPL to relief.

WHEREFORE, FPL respectfully requests that the Commission approve an overrecovery of \$9,183,523 as the final net true-up amount for the January 2010 through December 2010 period, and that the approved final net true-up amount be carried over and reflected in FPL's 2012 ECCR factors.

Respectfully submitted,

John T. Butler
Managing Attorney
Kenneth M. Rubin
Senior Attorney
700 Universe Boulevard
Juno Beach, FL 33408
(561) 691-2512 Telephone
(561) 691-7135 Facsimile

By: _____


Kenneth M. Rubin
Florida Bar No. 349038

CERTIFICATE OF SERVICE
Docket No. 110002-EG

I **HEREBY CERTIFY** that a true and correct copy of Florida Power & Light Company's Petition for Approval of True-Up Amount along with the Testimony and Exhibit of Anita Sharma and Terry J. Keith were served by hand delivery (*) or mailed this 3rd day of May, 2011 to the following:

Lee Eng Tan
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Ltan@psc.state.fl.us

Office of Public Counsel
J. R. Kelly, Esq.
Patricia Ann Christensen, Esq.
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
Kelly.jr@leg.state.fl.us
Christensen.patty@leg.state.fl.us

Beggs & Lane Law Firm
Jeffrey Stone/Russell Badders/
Steven Griffin
Attorneys for Gulf Power Company
501 Commendancia Street
Pensacola, FL 32502-5953
jas@beggslane.com
rab@beggslane.com

Ausley Law Firm
James Beasley/J. Jeffrey Wahlen
Attorneys for Tampa Electric Company
(TECO)
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com
jwahlen@ausley.com

Gulf Power Company
Ms. Susan D. Ritenour
One Energy Place
Pensacola, FL 32520-0780
sdriteno@southernco.com

Tampa Electric Company
Paula K. Brown
Regulatory Affairs
P. O. Box 111
Tampa, FL 33601-0111

Florida Industrial Power Users Group
John W. McWhirter, Jr.
c/o McWhirter Law Firm
P.O. Box 3350
Tampa, FL 33601-3350
jmcwhirter@mac-law.com

Keefe Law Firm
Vicki Gordon Kaufman/Jon C. Moyle, Jr.
Attorneys for Florida Industrial Power
Users Groups (FIPUG)
118 North Gadsen Street
Tallahassee, FL 32301
vkaufman@kagmlaw.com
jmoyle@kagmlaw.com

Beth Keating, Esq.
Gunster Firm
Attorneys for FPUC
215 So. Monroe St., Suite 618
Tallahassee, Florida 32301-1804
bkeating@gunster.com

Florida Public Utilities Company
Joseph Eysie
P. O. Box 3395
West Palm Beach, FL 33402-3395

James W. Brew
F. Alvin Taylor
Attorneys for White Springs Agricultural
Chemicals, Inc.
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007
jbrew@bbrslaw.com
ataylor@bbrslaw.com

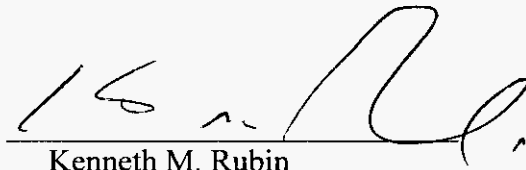
Randy Miller
White Springs Agricultural Chemicals, Inc.
P.O. Box 300
15843 Southeast 78th Street
White Springs, FL 32096
rmiller@pcosphosphate.com

Progress Energy Service Company, LLC
John T. Burnett
P.O. Box 14042
St. Petersburg, FL 33733-4042
John.burnett@pgnmail.com

Progress Energy Florida, Inc.
Mr. Paul Lewis, Jr.
106 East College Avenue, Suite 800
Tallahassee, FL 32301-7740
Paul.lewisjr@pgnmail.com

Allan Jungels, Capt, USAF
Utility Litigation & Negotiation Team
Staff Attorney
AFLOA/JACL-ULT/FLOA/JACL-ULT
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5317
Attorney for the Federal Executive
Agencies
Allan.Jungels@tyndall.af.mil

By:



Kenneth M. Rubin
Florida Bar No. 349038