Florida Power & Light Company, 215 S. Monroe Street, Suite 810, Tallahassee, FL 32301

FPL

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April 27, 2012

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COMMISSION CLERK

**-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. 120009-EI**

Dear Ms. Cole:

Please find enclosed for filing in the above referenced docket the original and seven (7) copies of Florida Power & Light Company's Petition for Approval of Nuclear Power Plant Cost Recovery Amount for the Period January – December 2013 with a compact disc containing the electronic version of the same. The operating system is Windows XP, and the word processing software in which the document appears is Word 2007.

Also enclosed for filing are the original and fifteen (15) copies of the prefiled testimony and exhibits of Florida Power & Light Company witnesses S. Scroggs, T. Jones, W. Powers, N. Diaz, and S. Sim.

If there are any questions regarding this transmittal, please contact me at 561-304-5253.

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Sincerely,

for Bryan S. Anderson

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

S. Scroggs - 02667-12
T. Jones - 02668-12
W. Powers - 02669-12
N. Diaz - 02670-12
S. Sim - 02671-12

Redacted - 02672-12
Exhs TOJ-14
+ SDS-8

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

| | |
|---|---|
| In Re: Nuclear Power Plant )<br>Cost Recovery Clause ) | Docket No. 120009-EI<br>Filed: April 27, 2012 |

**FLORIDA POWER & LIGHT COMPANY'S PETITION FOR APPROVAL OF NUCLEAR POWER PLANT COST RECOVERY AMOUNT FOR THE PERIOD JANUARY – DECEMBER 2013**

Florida Power & Light Company ("FPL"), pursuant to Section 366.93, Florida Statutes, and Rule 25-6.0423, Florida Administrative Code, hereby petitions the Florida Public Service Commission (the "Commission") for approval to recover a Nuclear Power Plant Cost Recovery ("NPPCR") amount of $150,739,659 through the Capacity Cost Recovery Clause ("CCRC") during the period January – December 2013. This equates to a typical residential customer monthly bill impact of $1.68 per 1000 kilowatt-hours (kWh). This is approximately $0.52 per 1000 kWh and 24% less per month than FPL's 2012 NPPCR amount.

FPL's requested NPPCR amount primarily consists of costs for its Extended Power Uprate ("EPU") project, which will be completed in the first quarter of 2013. Specifically, these EPU costs include (i) carrying charges on construction costs (not the construction costs themselves), (ii) recoverable operations and maintenance ("O&M") expenses, and (iii) partial year base rate revenue requirements for components that begin serving customers. Approximately $130 million of FPL's request is for the EPU project.

The EPU project is a complex undertaking, in its final phase of execution, to upgrade FPL's existing nuclear generating units at its St. Lucie and Turkey Point power plant sites. Thousands of people are working to bring this project to its successful completion in 2013. FPL expects that the upgraded units will produce an additional 490 megawatts (MW) of nuclear power, resulting in benefits for FPL's customers that include a projected $3.8 billion in lifetime fossil fuel cost savings, reduced reliance on natural gas and foreign oil and on Florida's two natural gas pipelines, and reduced system emissions for decades to come. This is also 40 MW more nuclear generation from the project than FPL projected during 2011. Customers are already receiving an additional 31 MW of nuclear power from the EPU project, will begin receiving an additional 336 MW this year, and will receive the final 123 MW in early 2013 upon completion of project execution. While estimated project costs have increased, due mainly to additional work needed to be performed in Florida to complete the uprate of the nuclear units, completing the project remains solidly cost-effective.

Also included in FPL's NPPCR amount are pre-construction costs and carrying charges for the continued development of Turkey Point 6 & 7 – two new nuclear generating units planned at FPL's existing Turkey Point power plant site. The Turkey Point 6 & 7 costs FPL is requesting to recover are being spent now to pay vendors and personnel working to obtain the federal, state, and local licenses and permits necessary for FPL to be able to construct and operate the new nuclear units. Approximately $20 million of FPL's request is for Turkey Point 6 & 7.

Like the EPU project, substantial customer benefits from the addition of Turkey Point 6 & 7 to FPL's system are anticipated. For example, over the life of the units, in just one future fuel cost and environmental compliance cost scenario analyzed, customers are projected to save $58 billion dollars in fuel costs. To the extent natural gas prices increase over the next several decades, these customer cost savings will be even greater. The addition of Turkey Point 6 & 7 will also diversify FPL's fuel and generation mix – reducing reliance on natural gas and foreign oil, and increasing the overall reliability of FPL's system among other things – while reducing carbon dioxide emissions by a projected 255 million tons.

FPL asks that the Commission enter a finding that FPL's 2012 actual/estimated and 2013 projected costs for the EPU project and Turkey Point 6 & 7 are reasonable. FPL also requests that the Commission review and approve the economic feasibility analysis provided by FPL for each project. Every year FPL performs comprehensive economic analyses to determine the feasibility of completing the EPU project and Turkey Point 6 & 7. Once again, these analyses show that completion of each project is solidly cost-effective for customers. These results – which fully account for current low natural gas price forecasts – demonstrate just how valuable these nuclear generation additions are for FPL's customers.

## INTRODUCTION

1. FPL is a corporation with headquarters at 700 Universe Boulevard, Juno Beach, Florida 33408. FPL is an investor-owned utility operating under the jurisdiction of this Commission pursuant to the provisions of Chapter 366, Florida Statutes. FPL is a wholly-owned subsidiary of NextEra Energy, Inc., a registered holding company under the federal Public Utility Holding Company Act and related regulations. FPL provides generation, transmission, and distribution service to more than 4.5 million retail customers.

2. Any pleading, motion, notice, order or other document required to be served upon FPL or filed by any party to this proceeding should be served upon the following individuals:

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3. This Petition is being filed consistent with Rule 28-106.201, Florida Administrative Code. The agency affected is the Florida Public Service Commission, located at 2540 Shumard Oak Blvd, Tallahassee, FL 32399. This case does not involve reversal or modification of an agency decision or an agency's proposed action. Therefore, subparagraph (c) and portions of subparagraphs (e), (f) and (g) of subsection (2) of such rule are not applicable to this Petition. In compliance with subparagraph (d), FPL states that it is not known which, if any, of the issues of material fact set forth in the body of this Petition, or the supporting testimony, exhibits, and Nuclear Filing Requirement ("NFR") schedules filed herewith, may be disputed by others planning to participate in this proceeding.

**BACKGROUND AND OVERVIEW**

4. Section 366.93, Florida Statutes was adopted by the Legislature in 2006 to promote utility investment in nuclear power plants. Rule 25-6.0423, Florida Administrative Code ("the Rule"), implements this statute and provides for the annual review of expenditures and annual recovery of eligible costs through the CCRC. The EPU project and Turkey Point 6 & 7 qualify for cost recovery pursuant to Section 366.93, Florida Statutes, and the Rule. FPL's pursuit and achievement of this additional nuclear generation is made possible by the available cost recovery mechanism.

5. By Order No. PSC-08-0021-FOF-EI, issued January 7, 2008, the Commission made an affirmative determination of need for FPL's EPU Project. By Order No. PSC-08-0237-FOF-EI, issued April 11, 2008, the Commission made an affirmative determination of need for Turkey Point 6 & 7. These projects were approved in large part because of the significant customer benefits they were – and still are – projected to provide. For example, assuming a

current "medium" fuel cost projection and the "Environmental II" scenario, as explained in FPL's testimony and exhibits, FPL expects that the EPU project will:

- Provide estimated fuel cost savings for FPL's customers of approximately $114 million (nominal) in the first full year of operation;
- Provide estimated fuel cost savings for FPL's customers over the life of the project of approximately $3.8 billion (nominal);
- Diversify FPL's fuel sources by decreasing reliance on natural gas by 3% beginning in the first full year of operation;
- Reduce annual fossil fuel usage by the equivalent of 6 million barrels of foreign oil or 41 million mmBTU of natural gas;
- Reduce reliance on the only two natural gas pipelines in the State of Florida;
- Reduce $CO_2$ emissions by an estimated 32 million tons over the life of the units; and
- Help alleviate the growing generation/load imbalance in the Southeastern portion of FPL's service territory by adding generation at FPL's existing Turkey Point site, improving system reliability.

Similarly, assuming the same "medium" fuel cost, "Environmental II" scenario, FPL expects that Turkey Point 6 & 7 will:

- Provide estimated fuel cost savings for FPL's customers of approximately $892 million (nominal) in the first full year of operation;
- Provide estimated fuel cost savings for FPL's customers over the life of the project of approximately $58 billion (nominal);
- Diversify FPL's fuel sources by decreasing reliance on natural gas by approximately 13% beginning in the first full year of operation;

- Reduce annual fossil fuel usage by the equivalent of 28 million barrels of oil or 177 million mmBTU of natural gas; and
- Reduce $CO_2$ emissions by an estimated 255 million tons over the life of the project, which is the equivalent of operating FPL's entire generating system with zero $CO_2$ emissions for over 6 years.

The ultimate fuel cost savings and other benefits of each project will depend upon the actual fuel prices and other variables that exist in the future over the lives of the completed projects. For example, FPL's fuel cost savings projections provided above reflect the current, low natural gas price forecasts. To the extent natural gas prices in the future are higher than those forecast, customer fuel cost savings would also be higher.

6. The NPPCR amount sought for recovery through the CCRC of $150,739,659 is made up of: (i) the difference between FPL's 2011 actual costs and its 2011 actual/estimated costs provided last year; (ii) the difference between FPL's 2012 actual/estimated costs and its 2012 projected costs provided last year; and (iii) FPL's 2013 projected NPPCR recoverable costs. Approval of the true-up of FPL's 2011 actual costs was requested in the petition filed on March 1, 2012, and explained and supported in the direct testimony, exhibits, and NFRs filed therewith. FPL's 2012 actual/estimated and 2013 projected costs are the subject of this petition and supported by the accompanying testimony, exhibits, and NFRs filed herewith.

7. The testimony and exhibits of FPL Witnesses Winnie Powers, Terry Jones, Steven Scroggs, and Nils Diaz, filed with this petition and incorporated herein by reference, explain the computation of the total NPPCR amount for recovery during 2013, describe FPL's 2012 actual/estimated and 2013 projected costs, and demonstrate that FPL's 2012 and 2013 costs are reasonable. Exhibit TOJ-14 to the testimony of FPL Witness Jones and Exhibit SDS-8 to the

testimony of FPL Witness Scroggs, both of which are co-sponsored by FPL Witness Powers, contain FPL's actual/estimated ("AE") schedules and projected ("P") schedules, as well as the True Up to Original ("TOR") Schedules that make up FPL's NFRs. The form of these NFR schedules was developed by the Commission Staff working with FPL, the Office of Public Counsel, Progress Energy Florida and others.[1] The AE schedules and the P schedules support the 2012 actual/estimated and 2013 projected costs, respectively.

8. The testimony and exhibits of FPL Witness Sim provide the annual long-term feasibility analyses required by Rule 25-6.0423(5)(c)5, Florida Administrative Code, and demonstrate the continued feasibility of completing the EPU Project and the Turkey Point 6 & 7 project. Using updated inputs for capital costs, fuel costs, and environmental compliance costs, as well as an updated load forecast and other updated system planning assumptions, each project continues to be solidly cost-effective when compared to the addition of the most economic non-nuclear base load generation option – a highly fuel-efficient combined cycle generating unit. FPL has also included in its filing additional information addressing specific, qualitative project feasibility topics.

**EPU PROJECT**

**2012 Actual/Estimated Costs**

9. FPL is working to deliver the substantial benefits of additional nuclear generating capacity to customers without expanding the footprint of its existing nuclear generating plants by performing an EPU of its existing nuclear units. In 2012, FPL expects to complete the uprates of

1 The NFRs consist of T, AE, P and TOR Schedules. The T Schedules are to be filed each March and provide the true-up for the prior year. In May, there are three sets of schedules to be filed: the AE Schedules provide the actual/estimated cost information for the current year, the P Schedules provide the projected expenditures for the subsequent year and the TOR schedules provide a summary of the actual and projected costs for the duration of the project.

three of its four Florida nuclear units, with the final unit's work being completed in early 2013. In total, FPL has already successfully completed five of eight planned EPU outages in the Implementation Phase of the project, and is in the midst of the sixth EPU outage. FPL also plans to conduct a brief mid-cycle outage at St. Lucie Unit 1 in 2012, which will be the final EPU outage for that unit.

10. FPL has incurred or expects to incur during 2012 approximately $1,058,854,365 in construction costs ($1,017,306,408 jurisdictional, net of participant credits) and $15,000,523 in O&M costs including interest ($14,546,749 jurisdictional, net of participant credits including interest) for the EPU project. All of FPL's EPU costs are separate and apart from other nuclear plant expenditures, would not be incurred but for the project, and are reasonable. The carrying charges on the 2012 construction costs are estimated to total $104,860,725. Pursuant to the Rule, FPL requests recovery of the true-up of its 2012 carrying charges and O&M costs in the 2013 NPPCR amount.

11. FPL will also be placing items associated with the Uprate Project into service in 2012. The estimated amount of $1,637,991,957 ($1,562,690,626 jurisdictional, net of participants) of associated costs will be transferred to plant in service at various times throughout the year as systems are placed into service, resulting in base rate revenue requirements of approximately $79,552,085 through the end of 2012. Additionally, there are carrying charges of $476,866 on the overrecovery of previously projected 2012 base rate revenue requirements. Consistent with the applicable statute, Rule, and the Commission's Order No. PSC-08-0749-FOF-EI in Docket No. 080009-EI, carrying charges on construction costs related to the plant being placed in service have been included in FPL's NPPCR amount up to the in-service date, followed by the related base rate revenue requirements through the end of the year. As required

by subsection 7(a) of Rule 25-6.0423, FPL will file a separate petition for Commission approval of a base rate adjustment for the plant in service.

**2013 Projected Costs**

12. In 2013, FPL will complete the EPU project, including related project close-out tasks. The second and final Turkey Point Unit 4 EPU outage, which involves a vast amount of work like the other EPU outages, is scheduled to begin in November 2012, and will be completed followed by extensive testing and systematic turnover to operations.

13. During 2013, FPL projects that it will incur $163,996,072 in construction costs ($161,047,828 jurisdictional, net of participant credits) and $5,170,770 in O&M costs ($5,077,869 jurisdictional, net of participant credits, including interest) for the EPU project. All of FPL's EPU costs are separate and apart from other nuclear plant expenditures, would not be incurred but for the EPU project, and are reasonable. The carrying charges on the 2013 construction costs and overrecovered base rate revenue requirements are estimated to total $15,396,136. Pursuant to the Rule, FPL requests recovery of these carrying charges and its O&M costs in the 2013 NPPCR amount.

14. FPL will also place the remaining systems and components of the EPU Project into service during 2013, as described in the testimony and exhibits of Mr. Jones. The projected $719,494,626 ($706,559,889 jurisdictional, net of participants) of associated costs will be transferred to plant in service as systems are placed into service, resulting in base rate revenue requirements of approximately $64,738,202 through the end of 2013. Carrying charges on construction costs related to these systems have been included in FPL's request up to each system's projected in-service date, followed by the related base rate revenue requirements through the end of the year, consistent with the applicable statute, Rule, and the Commission's

Order No. PSC-08-0749-FOF-EI in Docket 080009-EI. As required by subsection 7(a) of Rule 25-6.0423, FPL will file a separate petition for Commission approval of a base rate adjustment for the plant in service.

## TURKEY POINT 6 & 7

### 2012 Actual/Estimated Costs

15. FPL is continuing to apply a thoughtful, step-wise approach to the development of the Turkey Point 6 & 7 new nuclear generation units. No construction costs are being incurred for the Turkey Point 6 & 7 project in 2012 or 2013, and no construction costs are being pre-recovered through the nuclear cost recovery process. The primary focus at this stage of the project has been, and remains, obtaining the necessary federal, state and local approvals for construction and operation of Turkey Point 6 & 7. By continuing to seek the necessary licenses, permits and approvals, FPL is maintaining progress toward delivering the benefits of new nuclear generation to FPL's customers.

16. FPL has incurred or expects to incur $34,907.426 of pre-construction costs ($34,279,877 jurisdictional), carrying charges of $3,097,000, and $180,883 of site selection costs for Turkey Point 6 & 7 in 2012. The pre-construction costs are primarily related to licensing and permitting activities. The site selection costs consist only of a return on the deferred tax asset/liability. All of these costs are related to or resulting from the project and are reasonable. Pursuant to subsection (5)(a) of the Rule, FPL requests recovery of the true-up of its jurisdictional costs in its 2013 NPPCR amount.

### 2013 Projected Costs

17. During 2013, FPL will incur expenses related to the continued support of the licenses, permits, and other approvals necessary to maintain the opportunity to add new nuclear

generation from Turkey Point 6 & 7 to FPL's system. FPL projects that it will incur $29,211,385 of pre-construction costs ($28,686,236 jurisdictional), carrying charges of $6,127,036, and $180,883 of site selection costs for Turkey Point 6 & 7 in 2013. All of the costs are related to or resulting from the project and are reasonable. Pursuant to subsection (5)(a) of the Rule, FPL requests recovery of these jurisdictional costs in its 2013 NPPCR amount.

**LONG TERM FEASIBILITY ANALYSES**

18. Rule 25-6.0423(5)(c)5, Fla. Admin. Code, requires that utilities "submit for Commission review and approval a detailed analysis of the long-term feasibility of completing the power plant." The Commission stated in Order No. PSC-09-0783-FOF-EI at page 14 (referring to Order No. PSC-08-0237-FOF-EI), that FPL was required to include updated fuel forecasts, environmental forecasts, break-even costs, and capital cost estimates, and that FPL should account for "sunk costs" in its feasibility analysis. FPL has complied with these requirements. Using updated assumptions and inputs, completion of each project continues to be solidly cost-effective for FPL's customers, as described in detail by FPL Witness Sim.

19. As described in Mr. Jones's testimony, FPL has updated its project assumptions for the incremental power that is expected to be produced by the EPU and for the total project cost. Upon completion, the EPU project is expected to produce 490 MW of nuclear power for customers. FPL has also updated its non-binding total cost estimate range (including transmission costs, carrying costs, etc.). At the time of FPL's May 2011 filing, which included its last non-binding cost estimate range, the EPU project had completed 36% of total engineering. Presently, more than 90% of the EPU engineering is complete. Additionally, in May 2011, only 81 of 209 engineering modification packages had reached the 90% complete stage, as compared to the 206 of 220 modification packages that are currently at the 90%

complete stage. Modification packages must reach 90% before detailed construction planning and implementation cost estimation can commence. FPL's updated non-binding cost estimate range, reflecting all this additional information, is approximately $2,950 million to $3,150 million as described by Mr. Jones. This increase from the 2012 non-binding cost estimate range of approximately $2,300 million to $2,500 million is explained in detail by Mr. Jones, and mainly reflects large amounts of additional work needed to be performed by workers in Florida during 2012 and 2013 to install the uprate equipment in the plants. FPL used its current "manage-to" amount of $3,050 million as the starting point for its feasibility analysis.

20. As described by Dr. Sim, completion of the EPU project continues to be solidly cost-effective for FPL's customers, taking into account all updated assumptions. FPL's analysis for the EPU project was performed by comparing the cumulative present value of revenue requirements ("CPVRR") of a resource plan that included the EPU project with a resource plan that included only the 31 MW of additional nuclear power currently being produced and an alternative baseload generation addition. The "Resource Plan with Nuclear Uprates" is projected to have a lower cumulative present value of revenue requirements than the "Resource Plan without Nuclear Uprates" in six out of seven fuel and environmental compliance cost scenarios analyzed. Accordingly, the resource plan that includes completion of the EPU project and its full expected output remains an economically superior resource plan for FPL's customers. Additionally, as explained by Mr. Jones, the EPU project remains feasible with respect to other, non-economic considerations.

21. As described by Dr. Sim, Turkey Point 6 & 7 also continues to be a cost-effective addition for FPL's customers, taking into account all updated assumptions. FPL's analysis of Turkey Point 6 & 7 was performed by calculating a "breakeven capital cost" – the capital cost

amount FPL could spend on new nuclear and break even with what it would spend for a combined cycle resource addition on a CPVRR basis – and comparing it to its current project non-binding cost estimate range. The breakeven capital costs are higher than FPL's non binding cost estimate range (i.e., the results are favorable) in five out of seven fuel and environmental compliance cost scenarios analyzed. In the remaining two scenarios, the breakeven capital costs are within the non-binding cost estimate range. Accordingly, Turkey Point 6 & 7 continues to be an economically sound choice for FPL's customers. Additionally, as explained by Mr. Scroggs, the Turkey Point 6 & 7 project remains feasible with respect to other, non-economic considerations.

## CONCLUSION

22. FPL's 2012 actual/estimated and 2013 projected costs for the EPU project and for Turkey Point 6 & 7 consist of reasonable amounts that are expected to be expended for the projects during those years. FPL's planned expenditures are subject to a rigorous planning and budgeting process, and key decisions affecting those expenditures receive the benefit of informed, thorough and multi-disciplined assessment as well as executive management review, all as described and shown in FPL's testimony and exhibits, including NFRs. Additionally, completion of each project continues to be cost-effective for customers after accounting for a number of updated assumptions, as demonstrated by FPL's 2012 feasibility analyses. For all the foregoing reasons, as discussed in the testimony of FPL's witnesses, FPL's 2012 actual/estimated and 2013 projected costs are reasonable, and its feasibility analyses should be approved.

WHEREFORE, Florida Power & Light Company respectfully requests that the Commission enter an order (i) approving recovery of an NPPCR jurisdictional amount of

$150,739,659 through the CCRC during the period January – December 2013, reflecting the 2011 final true-up, 2012 actual/estimated true-up, and 2013 projected carrying charges on construction costs, O&M costs, and base rate revenue requirements for the EPU Project as well as the 2011 final true-up, 2012 actual/estimated true-up, and 2013 projected site selection costs, pre-construction costs, and associated carrying charges for Turkey Point 6 & 7; (ii) determining that FPL's 2012 actual/estimated and 2013 projected costs for the EPU project and Turkey Point 6 & 7 are reasonable; and (iii) approving FPL's EPU project feasibility analysis and Turkey Point 6 & 7 feasibility analysis.

Respectfully submitted this 27th day of April, 2012.

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By: Lynne A. Adams
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Fla. Authorized House Counsel No. 219511
Admitted in IL, Not Admitted in FL

**CERTIFICATE OF SERVICE**
**DOCKET NO. 120009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Petition for Approval of Cost Recovery Amount for the Period January – December 2013 and accompanying testimony and exhibits (including an electronic copy of non-confidential exhibits created in Excel format) was served by hand delivery* or overnight UPS delivery this 27th day of April, 2012 to the following:

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