

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida  
Power & Light Company.

DOCKET NO. 120015-EI  
ORDER NO. PSC-12-0428A-PHO-EI  
ISSUED: August 20, 2012

AMENDATORY ORDER

This Order corrects scrivener's errors in Order No. PSC-12-0428-PHO-EI, the Prehearing Order in this docket, which was issued on August 17, 2012. First, Section XIV (Rulings) of the Prehearing Order shall reflect that Mr. Thomas Saporito's Motion for Directed Verdict of FPL's Petition for increase in base rates was denied. Second, Section IX (Exhibit List) of the Prehearing Order incorrectly listed Larry Nelson's exhibits (LN-1 to LN-7). These exhibits shall be stricken from Section IX of the Prehearing Order because Mr. Nelson did not file prefiled direct testimony. Finally, Issue 94 was incorrectly listed as a "dropped" issue. Therefore, Order No. PSC-12-0428-PHO-EI is hereby amended to incorporate the additions mentioned above as well as the following Issue and Party Positions:

**ISSUE 94:** What is the appropriate amount of advertising expenses for the 2013 projected test year?

POSITIONS

- FPL:** This issue was not challenged by any intervenor witness. Nevertheless, FPL states that the appropriate level of advertising expenses for 2013 is \$19,000 (jurisdictional). (Barrett)
- OPC:** FPL has the burden of demonstrating that these costs are properly recorded in its books and records and reflected in the MFRs.
- FRF:** Agree with the Citizens/Public Counsel.
- FIPUG:** \$0. Advertising expenses should be borne by shareholders. Monopolies have little or no need to advertise.
- SFHHA:** No position at this time.
- FEA:** No position at this time.
- Algenol:** No position at this time.
- Pinecrest:** FPL has the burden of demonstrating that these costs are properly recorded in its books and records and are reflected in MFRs. Pending the completion of discovery and the introduction of all evidence and testimony in this docket, the

DOCUMENT NUMBER DATE

05690 AUG 20 2012

FPSC-COMMISSION CLERK

Village withholds taking a position as to whether FPL has met its burden.

**Hendricks:** No position at this time.

**Larsons:** No. The appropriate amount should be \$0.

**Saporito:** Intervenor avers here that FPL's advertising expenses for the 2013 projected test year should be adjusted lower - and that FPL should utilize more effective alternative advertising methods.

**Nelson:** **OBJECTION: Larry Nelson objects to the form of the question.** "[A]ppropriate" is not in this situation an issue of law or fact. The issue is whether the requested expenses are reasonable and prudent and useful to the ratepayers.

**STAFF:** No position pending evidence adduced at the hearing.

Based on the foregoing, it is

ORDERED by Commissioner Art Graham, as Prehearing Officer, that Order No. PSC-12-0428-PHO-EI is hereby amended to reflect the changes stated above. It is further

ORDERED that Order No. PSC-12-0428-PHO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Art Graham, as Prehearing Officer, this 20th day of August, 2012.



ART GRAHAM  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

KY