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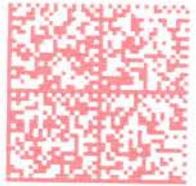
Public Service Commission

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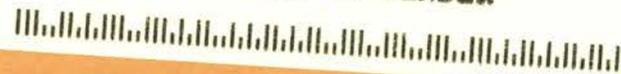
~~Florida Solar Energy Industries Association
Ms. Wendy Parker
231 West Bay Avenue
Longwood, Florida 32750-4125~~

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-M-E-M-O-R-A-N-D-U-M-

DATE: November 19, 2013

TO: Office of Commission Clerk (Cole)

FROM: Office of the General Counsel (Cowdery) *KC S.M.C.*
Division of Economics (Rome) *CR* *ED* *JWD* *AD* *MA* *CA*
Office of Industry Development and Market Analysis (Breman, Futrell, Hinton,
Laux, Lewis) *KL*

RE: Docket No. 130222-EI – Proposed amendment of Rule 25-6.0423, F.A.C., Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery.

AGENDA: 12/03/13 – Regular Agenda – Rule Proposal – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Edgar

RULE STATUS: Proposal may be deferred

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\GCL\WP\130222.RCM.DOC

Case Background

Rule 25-6.0423, Florida Administrative Code (F.A.C.), adopted in 2007, establishes alternative cost recovery mechanisms for the recovery of costs incurred in the siting, design, licensing, and construction of nuclear or integrated gasification combined cycle power plants in order to promote electric utility investment in nuclear or integrated gasification combined cycle power plants and allow for the recovery in rates of all such prudently incurred costs.¹ The rule implements Section 366.93, Florida Statutes (F.S.).

¹ Section 25-6.0423(1), F.A.C.

Docket No. 130222-EI
Date: November 19, 2013

In 2013, the Legislature amended Section 366.93, F.S., which changed statutory provisions relating to permitted carrying costs; added restrictions on costs recovered during the license/certification application process; added requirements for obtaining Commission approval prior to commencing certain activities and making certain purchases; added requirements which apply if the utility has not begun construction within certain time frames after obtaining a combined operating license; and added requirements for the Commission's determination of a utility's intent to construct a power plant. These amendments are set forth in Chapter 2013-184, Laws of Florida, appended hereto as Attachment C. This rulemaking docket was opened to amend Rule 25-6.0423, F.A.C., in order to implement these Legislative changes.

The Notice of Rule Development was published in the August 28, 2013, Florida Administrative Register, Vol. 39/168. No rule development workshop was requested, and none was held.

This recommendation addresses whether the Commission should amend Rule 25-6.0423, F.A.C., to implement the 2013 amendments to Section 366.93, F.S. The Commission has jurisdiction pursuant to Sections 120.54 and 366.93(2), F.S.