

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Nuclear Cost                    )  
Recovery Clause                        )

Docket No. 160009-EI  
Filed: June 17, 2016

**FLORIDA POWER & LIGHT COMPANY’S MOTION TO  
DEFER CONSIDERATION OF ISSUES AND COST RECOVERY**

Florida Power & Light Company (“FPL”), pursuant to Rule 28-106.204, Florida Administrative Code, hereby moves the Florida Public Service Commission (“Commission”) to defer consideration of all FPL issues in this docket to the 2017 Nuclear Cost Recovery (“NCR”) docket and to allow FPL to defer recovery of its requested 2017 NCR amount. In support of this Motion FPL states as follows:

1. On April 27, 2016, FPL filed a Petition for Waiver of Rule 25-6.0423(6)(c)5, Florida Administrative Code (“Petition for Waiver”), which requires FPL to file an annual feasibility analysis on its Turkey Point 6 & 7 project in the NCR docket. On May 16, 2016, several parties filed comments in opposition to FPL’s Petition for Waiver.

2. It is clear from the parties’ comments in opposition to the Petition for Waiver that there is a wide difference of opinion between FPL and parties who oppose FPL’s waiver request as to the need for and practical usefulness of a quantitative feasibility analysis at this time.

3. In light of such disagreement, FPL is willing to defer consideration of its cost recovery request. Accordingly, FPL requests deferral of its issues<sup>1</sup> to the 2017 NCR cycle. FPL also requests approval to defer recovery of its requested 2017 NCR amount of \$22,081,049. FPL will seek to recover that amount, trued up for 2016 actual costs and trued up for 2017 actual/estimated costs, along with its allowance for funds used during construction, as part of the

---

<sup>1</sup> A final list of issues has not been determined for this year’s hearing. FPL expects to discuss a new issues list with Staff and all parties as part of next year’s NCR cycle.

2017 NCR docket. Upon approval of this motion, FPL will withdraw its Petition for Waiver and will plan to file a feasibility analysis in the ordinary course of the 2017 NCR cycle.

4. In accordance with Rule 28-106.204(3), Florida Administrative Code, FPL contacted counsel for each party in this docket to determine whether they object to this motion. FPL is authorized to represent that the Office of Public Counsel “does not object to deferring FPL issues including prudence review of these costs until the 2017 NCRC docket,” the City of Miami and the Southern Alliance for Clean Energy do not object to this motion, PCS White Springs takes no position and does not object to this motion, and the Florida Retail Federation and Duke Energy Florida take no position on this motion. FPL was unable to reach the Florida Industrial Power Users Group before filing this motion.

WHEREFORE, FPL requests the Commission to approve its motion to defer consideration of FPL’s issues to the 2017 NCR docket and to defer recovery of its 2017 NCR amount.

Respectfully submitted this 17th day of June, 2016.

Jessica A. Cano  
Fla. Bar No. 37372  
Kevin I.C. Donaldson  
Fla. Bar No. 833401  
Attorneys for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 304-5226  
(561) 691-7135 (fax)

By: s/ Jessica A. Cano  
Jessica A. Cano  
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE  
DOCKET NO. 160009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Motion to Defer Consideration of Issues and Cost Recovery was served electronically this 17th day of June, 2016, to the following:

Kyesha Mapp, Esq.  
Margo Leathers, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
kmapp@psc.state.fl.us  
mleather@psc.state.fl.us

Patricia A. Christensen, Esq.  
Associate Public Counsel  
Office of Public Counsel  
The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399  
christensen.patty@leg.state.fl.us  
*Attorney for the Citizens of the State of Fla.*

Matthew Bernier, Esq., Sr. Counsel  
106 East College Ave., Suite 800  
Tallahassee, Florida 32301-7740  
Matthew.bernier@duke-energy.com  
*Attorney for Duke Energy Florida, Inc.*

Dianne M. Triplett, Esq.  
299 First Avenue North  
St. Petersburg, Florida 33701  
dianne.triplett@duke-energy.com  
*Attorney for Duke Energy Florida, Inc.*

Jon C. Moyle, Jr., Esq.  
Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
jmoyle@moylelaw.com  
*Attorney for Fla. Industrial Power Users Group*

Victoria Méndez, City Attorney  
Xavier Albán, Assistant City Attorney  
Christopher A. Green, Senior Assistant  
City Attorney  
Kerri L. McNulty, Assistant City Attorney  
City of Miami  
444 S.W. 2nd Avenue, Suite 945  
Miami, FL 33130-1910  
vmendez@miamigov.com  
xealban@miamigov.com  
cagreen@miamigov.com  
klmcnulty@miamigov.com  
yillescas@miamigov.com (secondary  
email)  
*Attorneys for City of Miami*

James W. Brew, Esq.  
Laura A. Wynn, Esq.  
Stone Mattheis Xenopoulos & Brew, P.C.  
1025 Thomas Jefferson St., N.W.  
Eighth Floor, West Tower  
Washington, D.C. 20007  
jbrew@smxblaw.com  
law@smxblaw.com  
*Attorneys for White Springs Agricultural  
Chemicals, Inc. d/b/a PCS Phosphate – White  
Springs*

Robert Scheffel Wright, Esq.  
John T. LaVia, III, Esq.  
Gardner Bist Bowden Bush Dee  
LaVia & Wright, P.A.  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
Schef@gbwlegal.com  
Jlavia@gbwlegal.com  
*Attorneys for the Florida Retail Federation*

George Cavros, Esq.  
120 E. Oakland Park Blvd., Suite 105  
Ft. Lauderdale, FL 33334  
george@cavros-law.com  
*Attorney for Southern Alliance for Clean  
Energy*

By: s/ Jessica A. Cano  
Jessica A. Cano  
Fla. Bar No. 0037372