

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by)
Florida Power & Light Company.)
_____)

Docket No: 050045-EI

In re: 2005 comprehensive depreciation)
Study by Florida Power & Light Company.)
_____)

Docket No. 050188-EI

Submitted: July 12, 2005

THE COMMERCIAL GROUP'S PRELIMINARY LIST OF ISSUES

The Commercial Group hereby submits its preliminary list of issues in this proceeding by adopting and incorporating herein the list of issues being submitted by the Staff of the Florida Public Service Commission with the revisions/addition provided below. The Commercial Group shall state its positions on the issues in its pre-hearing statement.

ISSUE 32: In setting FPL's return on equity (ROE) for use in establishing FPL's revenue requirements and authorized range, **is FPL's performance superior to that of other similar electric utilities and if so,** should the Commission make an adjustment to reflect FPL's performance?

ISSUE 91: Should the Commission approve FPL's proposed new High Load Factor Time-of-Use rate schedule (**HLFT**)? **If so, should FPL reduce the load factor breakeven point for the HLFT to 65% or less?**

New issue to be added after Issue No. 64:

ISSUE 64a: If a revenue decrease is approved, how should it be allocated among the customer classes?

The Commercial Group reserves the right to propose modifications or otherwise comment on the issues proposed by Staff or other parties to this Docket.

This 12th day of July, 2005.

MCKENNA LONG & ALDRIDGE LLP

By: /s/ Alan R. Jenkins
Alan R. Jenkins
Authorized Representative of
the Commercial Group

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CERTIFICATE OF SERVICE

I, Alan R. Jenkins, a representative for the Commercial Group, hereby certify that I have served the Commercial Group's Preliminary List of Issues upon the following parties in Docket Nos. 050045-EI and 050188-EI by email and by depositing a copy of same in the United States mail with sufficient postage, addressed as follows:

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This 12th day of July, 2005.

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