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March 1, 2012

## -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. 120001-EI

Dear Ms. Cole:

an FPL Group company

I am enclosing for filing in the above docket the following:

- 1. The original and seven (7) copies of Florida Power & Light Company's ("FPL") Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery True-Ups for the Period Ending December 2011. DN 01227-12
- 2. The original and fifteen (15) copies of the prefiled testimony and exhibits of FPL witness Terry J. Keith, in support of the foregoing Petition. DN 01228-12
- 3. The original and seven (7) copies of FPL's Request for Confidential Classification of Short Term Capacity Payments Information. The original includes Exhibits A, B, C and D. Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing separately and marked "EXHIBIT A"-CONFIDENTIAL. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential classification and Exhibit C contains FPL's justification for its request for confidential classification and Exhibit D is the affidavit of Gerard J. Yupp. In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's request for Confidential Classification. *DN* 1229-12

<b>COM</b> Also included herewith is a CD containing electronic files of FPL's Petition for Approval <b>APA</b> for Fuel Cost Recovery and Capacity Cost Recovery True-Ups, FPL's Request for Confidential <b>ECR</b> HOClassification of Short Term Capacity Payments information and Exhibit C.	
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Microsoft Excel files of the true-up schedules in Appendices I and II of FPL witness Terry J. Keith will be provided electronically within 5 working days of this filing.

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

Sincerely, \_\_\_\_ - Jut

John T. Butler

Enclosure

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

#### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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IN RE: Fuel and Purchase Power Cost Recovery Clause and Generating Performance Incentive Factor Docket No. 120001-EI

Filed: March 1, 2012

# PETITION FOR APPROVAL OF FUEL COST RECOVERY AND CAPACITY COST RECOVERY NET TRUE-UPS FOR THE PERIOD ENDING DECEMBER 2011

Florida Power & Light Company ("FPL") hereby petitions this Commission for approval of FPL's Net Fuel and Purchased Power Cost Recovery ("FCR") true-up amount of \$51,121,025 under-recovery, and Net Capacity Cost Recovery ("CCR") true-up amount of \$44,704,575 under-recovery, both for the period ending December 2011. In support of this Petition, FPL states as follows:

1. The \$51,121,025 net FCR true-up under-recovery for the period January 2011 through December 2011 was calculated in accordance with the methodology set forth in Schedule 1, page 2 of 2, attached to Order No. 10093, dated June 19, 1981. This calculation and the supporting documentation are contained in the prepared testimony and exhibits of FPL witness Terry J. Keith, which are being filed together with the Petition and are incorporated herein by reference.

2. By Order No. PSC-11-0581-PCO-EI, the Commission approved FCR Factors for the period commencing January 3, 2012. These factors reflected an actual/estimated true-up under-recovery, including interest, for the period January 2011 through December 2011 of \$6,301,912, which was also approved in Order No. PSC-11-0581-PCO-EI. The actual under-recovery, including interest, for the period January 2011 through December 2011 is \$57,422,937. The \$57,422,937 actual under-recovery, less the actual/estimated under-recovery of \$6,301,912, D0CUMENT NUMBER-DATE

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which is currently reflected in charges for the period beginning January 3, 2012, results in a net FCR true-up under-recovery of \$51,121,025 that is to be included in the calculation of the FCR factors for the period beginning January 2013.

3. The \$44,704,575 net CCR true-up under-recovery for the period January 2011 through December 2011 was calculated in accordance with the methodology set forth in Order No. 25773, dated February 24, 1992. This calculation and the supporting documentation are contained in the prepared testimony and exhibits of FPL witness Terry J. Keith.

4. By Order No. PSC-11-0579-FOF-EI, the Commission approved CCR Factors for the period commencing January 3, 2012. These factors reflected an actual/estimated true-up over-recovery, including interest, for the period January 2011 through December 2011 of \$25,243,602, which was also approved in Order No. PSC-11-0579-FOF-EI. The actual underrecovery, including interest, for the period January 2011 through December 2011 is \$19,460,973. The \$19,460,973 actual under-recovery, less the actual/estimated over-recovery of \$25,243,602, which is currently reflected in charges for the period beginning January 3, 2012, results in a net CCR true-up under-recovery of \$44,704,575 that is to be included in the calculation of the CCR Factors for the period beginning January 2013.

WHEREFORE, Florida Power & Light Company respectfully requests the Commission to approve FPL's net FCR true-up amount of \$51,121,025 under-recovery and authorize the inclusion of this amount in the calculation of the FCR factors for the period beginning January 2013 and to approve FPL's net CCR true-up amount of \$44,704,575 under-recovery for the period ending December 2011 and authorize the inclusion of this amount in the calculation of the CCR Factors for the period beginning January 2013. Respectfully submitted,

R. Wade Litchfield, Esq. Vice President and General Counsel John T. Butler, Esq. Managing Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408 Telephone: (561) 304-5639 Facsimile: (561) 691-7135

By: John T. Butler Fla. Bar No. 283479

## CERTIFICATE OF SERVICE Docket No. 120001-EI

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Power & Light Company Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery Net True-Ups for the Period Ending December 2011 has been furnished by hand delivery (\*) or United States Mail on this 1<sup>st</sup> day of March, 2012, to the following persons:

Martha F. Barrera, Senior Attorney\* Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 mbarrera@psc.state.fl.us

James D. Beasley, Esq J. Jeffrey Wahlen, Esq. Ausley & McMullen Attorneys for Tampa Electric P.O. Box 391 Tallahassee, Florida 32302 jbeasley@ausley.com jwahlen@ausley.com

Samuel Miller, Capt., USAF USAF/AFLOA/JACL/ULFSC 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5319 Attorney for the Federal Executive Agencies samuelmiller@tyndall.af.mil

Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power P.O. Box 12950 Pensacola, FL 32591-2950 jas@beggslane.com rab@beggslane.com

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Jon C. Moyle, Esq. and Vicki Kaufman, Esq. Keefe, Anchors Gordon & Moyle, P.A. 118 N. Gadsden St. Tallahassee, FL 32301 Counsel for FIPUG vkaufman@kagmlaw.com jmoyle@kagmlaw.com J. R. Kelly, Esq. Patricia Christensen, Esq. Charles Rehwinkel, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 Kelly.jr@leg.state.fl.us Christensen.patty@leg.state.fl.us rehwinkel.charles@leg.state.fl.us Michael Barrett Division of Economic Regulation Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 mbarrett@psc.state.fl.us

By:

John T. Butler Fla, Bar No. 283479

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