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November 14, 2002

-VIA FEDERAL EXPRESS -

Blanca S. Bayó  
Director, Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket No. 020007-EI

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Second Amended Petition for Approval of Revised Environmental Cost Recovery Factors for Period January 2003 Through December 2003 and its Motion for Leave to File Second Amended Petition for Approval of Revised Environmental Cost Recovery Factors for Period January 2003 Through December 2003, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the document appears is Word 2000.

Also enclosed for filing are the original and fifteen (15) copies of the prefilled supplemental testimony and documents of Florida Power & Light Company witness Korel M. Dubin.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

Sincerely,

*Korel M. Dubin for JTB*

John T. Butler, P.A.

Enclosures

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

AUS  
CAF  
CMP  
COM  
CTR  
ECR  
GCL  
OPC  
MMS  
SEC  
OTH

Prefilled Supplemental  
Testimony - K.M. Dubin  
DOCUMENT NUMBER - DATE

Amended Petition  
DOCUMENT NUMBER - DATE

motion  
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FPSC-COMMISSION CLERK

12519 NOV 15 02  
FPSC-COMMISSION CLERK

Miami West Palm Beach Tallahassee Naples Key West London Caracas São Paulo Rio de Janeiro Santo Domingo

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Environmental Cost )  
      Recovery Clause )

DOCKET No. 020007-EI  
Dated: November 14, 2002

**MOTION FOR LEAVE TO FILE SECOND AMENDED PETITION  
FOR APPROVAL OF REVISED ENVIRONMENTAL COST RECOVERY FACTORS  
FOR PERIOD JANUARY 2003 THROUGH DECEMBER 2003**

Florida Power & Light Company ("FPL") hereby moves the Commission for leave to file a second amended petition (the "Second Amended Petition"), which requests that this Commission approve Environmental Cost Recovery Factors that are revised from those reflected in the petition it filed in this docket on November 4, 2002, (the "November 4 Petition"). The grounds for this motion are as follows:

1. FPL filed the November 4 Petition to revise the Environmental Cost Recovery Factors that it had originally filed on September 9, 2002. The revised factors accompanying the November 4 Petitions reflected a revised sales forecast that incorporated the most current economic assumptions, and also reflected two months of additional actual data.

2. Subsequent to filing the November 4 Petition, FPL identified adjustments that should be made to its calculation of depreciation on certain of the capital costs that are recovered through the Environmental Cost Recovery Factors. Those adjustments reduce the total amount of Environmental Compliance Costs to be recovered in the period January 2003 through December 2003 by \$832,767. This reduction in the recoverable costs is of sufficient magnitude to reduce most of the Environmental Cost Recovery Factors that were filed with the November 4 Petition. For example, the factor for the residential class would decline from .020 cents per kWh to .019 cents per kWh.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

3. Once the magnitude of the impact from the depreciation-related adjustments had been quantified, FPL asked the Commission Staff whether it would prefer to have FPL refile its 2003 Environmental Cost Recovery Factors or to handle the adjustments through the 2003 true-up. Staff advised FPL that it would prefer that FPL refile the 2003 Environmental Cost Recovery Factors.

4. Consistent with Staff's preference, the attached Second Amended Petition requests the Commission to approve revised Environmental Cost Recovery Factors that reflect the depreciation-related adjustments described above.

5. FPL has contacted the other parties to this docket concerning this motion, and none has expressed an objection to it.

WHEREFORE, FPL respectfully moves the Commission for leave to file the attached to Second Amended Petition.

Respectfully submitted,

R. Wade Litchfield, Esq.  
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**CERTIFICATE OF SERVICE**  
**Docket No. 020007-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Federal Express this 14<sup>th</sup> November, 2002 to the following:

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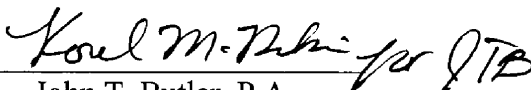
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By:   
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