

**ORIGINAL**

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August 6, 2007

**-VIA HAND DELIVERY -**

Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RECEIVED-PPSC  
07 AUG -6 PM 2:28  
COMMISSION  
CLERK

**Re: Docket No. 070001-EI**

Dear Ms. Cole:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Petition for Approval of the Fuel Cost Recovery and Capacity Cost Recovery Estimated/Actual True-Up for the Period January 2007 Through December 2007, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows XP, and the word processing software in which the document appears is Word 2003.

6780-07

Also enclosed for filing are the original and fifteen (15) copies of the prefiled testimony and exhibits of Florida Power & Light Company witness K. M. Dubin.

6781-07

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

- CMP \_\_\_\_\_
- COM 5 \_\_\_\_\_ 5639.
- CTR 1 original \_\_\_\_\_
- ECR diskette \_\_\_\_\_
- GCL 1 \_\_\_\_\_ \* Diskette to ECR.
- OPC \_\_\_\_\_
- RCA 1 \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

Sincerely,

*Kent M. Dubin*  
John T. Butler *for JTB*

Enclosure

cc: Counsel for parties of record (w/encl.)

DOCUMENT NUMBER: DATE

06780 AUG-6 07

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**ORIGINAL**

IN RE: Fuel and Purchased Power )  
Cost Recovery Clause with ) DOCKET NO. 070001-EI  
Generating Performance )  
Incentive Factor. ) Filed: August 6, 2007  
\_\_\_\_\_ )

**PETITION FOR APPROVAL OF FUEL COST RECOVERY  
AND CAPACITY COST RECOVERY ESTIMATED/ACTUAL TRUE-UP  
FOR THE PERIOD JANUARY 2007 THROUGH DECEMBER 2007**

Florida Power & Light Company ("FPL") hereby petitions the Commission for approval of its estimated/actual Fuel and Purchased Power Cost Recovery ("FCR") true-up of \$49,425,979 under-recovery, and approval of its estimated/actual Capacity Cost Recovery ("CCR") true-up of \$15,232,599 under-recovery for the period January 2007 through December 2007. In support of this petition, FPL states as follows:

1. By Order PSC-99-2512-FOF-EI, dated December 22, 1999, utilities are directed to file current-year estimated true-up data at least 90 days prior to each annual FCR/CCR hearing. The hearing in this docket is scheduled to commence on November 6, 2007, which is more than 90 days after the filing of this petition.

2. The estimated/actual \$49,425,979 FCR under-recovery for the period January 2007 through December 2007 was calculated in accordance with the methodology set forth in Schedule 1, page 2 of 2, attached to Order 10093, dated June 19, 1981. It is based on actual data for the period January through June 2007 and re-estimated data for the period July through December 2007. The supporting documentation is contained in the prepared testimony and exhibit of FPL witness K.M. Dubin, which is being filed together with the Petition and incorporated herein.

DOCUMENT NUMBER-DATE

06780 AUG-6 5

FPSC-COMMISSION CLERK

3. FPL's total FCR under-recovery to be carried forward and included in the fuel factor for January through December 2008 is \$103,170,537. This consists of the \$49,425,979 estimated/actual under-recovery for 2007 plus the final under-recovery of \$53,744,558 for the period ending December 2006 that was filed on March 1, 2007.

4. The estimated/actual \$15,232,599 CCR under-recovery for the period January 2007 through December 2007 was calculated in accordance with the methodology set forth in Order No. 25773 dated February 24, 1992. It is based on actual data for the period January through June 2007 and re-estimated data for the period July through December 2007. The supporting documentation is contained in the prepared testimony and exhibits of FPL witness K.M. Dubin, which is being filed together with the Petition and incorporated herein.

5. FPL's total CCR under-recovery is \$19,262,882. This consists of the \$15,232,599 estimated/actual under-recovery for 2007 plus the final under-recovery of \$4,030,283 for the period ending December 2006 filed on March 1, 2007. This total CCR under-recovery of \$19,262,882 is to be carried forward and included in the CCR factors for January through December 2008.

WHEREFORE, Florida Power & Light Company respectfully requests the Commission to approve the \$49,425,979 under-recovery as the estimated/actual FCR true-up amount for the period January 2007 through December 2007 and to approve the \$15,232,599 under-recovery as the estimated/actual CCR true-up amount for the period January 2007 through December 2007.

Respectfully submitted,

R. Wade Litchfield, Esq.  
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By: *Koull M. Dubi for JTB*  
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 070001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Petition for Approval of Fuel Cost Recovery and Capacity Cost Recovery Estimated/Actual True-up for the Period January 2007 through December 2007 has been furnished by hand delivery (\*) or U.S. Mail this 6th day of August, 2007, to the following:

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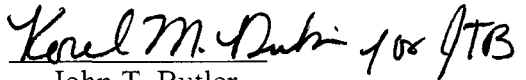
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