

Jessica A. Cano Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 304-5226 (561) 691-7135 (Facsimile)

April 10, 2009

COMMISSION CLERK NECEIVED-FIS

VIA HAND DELIVERY

Florida Public Service Commission Ann Cole, Commission Clerk Office of Commission Clerk 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re: Docket No. 080677-EI; Petition for Increase in Rates by Florida Power & Light Company

Rule 25-22.0406(4), Florida Administrative Code

Dear Ms. Cole:

Enclosed please find a copy of Florida Power & Light Company's synopsis of its rate request approved by the Florida Public Service Commission Staff and mailed on April 9, 2009 to the main county libraries within FPL's service area and to the chief executive officer of each county and municipality within FPL's service area. An affidavit regarding mail service and the mailing list for the synopsis are enclosed.

GCL | Please contact me if you have any questions.

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Jessica A. Cano

Enclosures

cc: Lisa Bennett, Esq. (w/ enclosures)

DOCUMENT NUMBER-DATE

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I. EXECUTIVE SUMMARY OF THE RATE CASE

On March 18, 2009, Florida Power & Light Company ("FPL") filed a Petition for a general rate proceeding with the Florida Public Service Commission ("FPSC" or "Commission") pursuant to Chapter 366, Florida Statutes. FPL is seeking approval of (i) a permanent increase in base rates and charges sufficient to generate additional total annual base revenues of \$1.044 billion beginning on January 4, 2010, (ii) a subsequent year adjustment ("SYA") to generate additional annual base revenues of \$247.4 million beginning on the first billing cycle day in January 2011, and (iii) continuation of the Generation Base Rate Adjustment mechanism that is currently in place so that it may be used to adjust base rates for the revenue requirements associated with generation additions for which a determination of need has been granted, at the time such plants enter into service (e.g., West County Energy Center Unit 3, which is projected to go into service on June 1 2011). The requested increases will provide FPL with a reasonable opportunity to earn a fair rate of return on FPL's investment in property used and useful in serving the public, including a 12.5% rate of return on FPL's common equity capital and will support important investments in fuel efficiency, cleaner energy and system reliability. In connection with this request for increases in base rates, FPL is also requesting the approval of certain changes to existing rate schedules, changes in existing service charges and other related adjustments.

FPL is currently operating pursuant to a Stipulation and Settlement entered into in connection with a requested rate increase in 2005, based upon a projected test year of 2006. While the average number of customers on FPL's system has increased by over 190,000 since 2006, sales growth has been relatively flat. Thus, the Company has needed

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to spend significant amounts of capital to build out infrastructure that meets the needs of new customers, but there has been no corresponding growth in sales to cover those costs. Additionally, since the 2005 base rate proceeding, FPL has experienced increases in the costs of skilled labor, commodities and other materials, and most recently, significant increases in the cost of capital. Without commensurate growth in sales, FPL is unable to cover these costs through existing base rates as it has done in the past. At the same time, FPL must continue to make substantial investments to preserve the high quality of service customers expect. In order to safely and reliably meet the electric needs of existing and new customers, a general increase in base rates is necessary.

As described in the testimony filed by FPL, maintaining adequate and reliable service will require substantial additional investment. Specifically, the Company will increase the efficiency of its nuclear and fossil generation, continue to invest in making its infrastructure stronger by reinforcing and strengthening its transmission and distribution system, and invest in smart technology that gives customers more control over their consumption and improves reliability. From 2007 through 2010 (the period following the 2006 test year for the last base rate proceeding through the proposed test year), FPL expects to incur over \$5.6 billion in capital investment not recovered through other legislative or regulatory mechanisms, resulting in a significant increase in rate base since 2006. A large portion of this capital investment is being driven by new federal and state regulatory commitments, such as material replacement costs to comply with new Nuclear Regulatory Commission requirements and expenditures to meet the Commission's electrical infrastructure hardening requirements.

In return for the investment FPL makes to enable it to provide customers with reliable and affordable electric service, shareholders must be provided with the opportunity to earn a reasonable and adequate return on investment. The United States Supreme Court has determined that a reasonable and adequate return on investment is one which is commensurate with returns that would be earned on investments with corresponding risks and should be sufficient to assure confidence in the financial integrity of the enterprise, so as to maintain its credit and to attract capital. In accordance with this direction, the Commission should consider the current economic environment and its effect on investor risk perceptions and expectations, the cost of debt capital, and the qualitative benefits of a strong financial position. It is clear that a strong financial position benefits customers by ensuring that the Company has access to debt and equity markets and that such access is at a reasonable cost with reasonable terms. Indeed, these benefits are evident in FPL's comparatively low customer bills. For customers to continue to realize these benefits it is necessary that the Company be afforded the opportunity to earn a fair return on its investment, reflective of current market considerations, as described more fully in the testimony filed with FPL's requested base rate increase.

Calendar year 2010 serves as the test year upon which FPL has calculated its revenue deficiency in this case. The test year in a rate case provides an appropriate period of utility operations that may be analyzed so the Commission can set reasonable rates for the period in which the new rates will be in effect. Projections for the period January 2010 through December 2010 have been used in preparing this case because they

best represents the conditions FPL will face during the first twelve months new rates will be in effect.

Even with the rate relief that FPL requests based on the 2010 test year, additional rate relief will be needed in 2011 to maintain a just and reasonable rate of return on investment. Accordingly, FPL is proposing a subsequent year adjustment to offset the projected increase in revenue requirements in 2011 and avoid the need for expensive and time consuming back-to-back base rate proceedings. The SYA allows the Company and the Commission to take advantage of the fact that all parties are already participating in a rate proceeding and the opportunity exists to review the 2011 need at the same time as the Commission reviews the 2010 test year need, thereby achieving efficiencies that would not be possible if the Company were to file a separate rate proceeding for 2011.

FPL is also seeking continuation of the Generation Base Rate Adjustment ("GBRA") mechanism, which was established pursuant to the 2005 Stipulation and Settlement and is an innovative and creative ratemaking approach allowing for recovery of costs associated with new generation while preserving Commission oversight via need determination proceedings. The GBRA provides a cost-effective way for the Company and the Commission to avoid costly ratemaking proceedings, which ultimately benefits customers. Additionally, the GBRA approach has coordinated the base rate impact of new units with the offset that occurs as a result of corresponding fuel cost decreases. Thus, customers receive the cost-savings benefits of new units in a timely manner through the annual fuel recovery clause mechanism at the same time as the base rate adjustment is made, minimizing the overall impact on customer bills. The Company plans to add several highly efficient generation resources over the next few years. West

County Energy Center ("WCEC") Unit 3, for example, is scheduled to be placed in service in 2011, while FPL's modernization projects at the Canaveral and Riviera Plants are scheduled to be completed in 2013-2014. The GBRA mechanism is an appropriate means of reflecting the impact of these new generation resources on base rates as they come into service. Accordingly, FPL's revenue requirements calculated for the SYA in 2011 do not include the effect of adding WCEC 3, as it is anticipated that such revenue requirements will be recovered through the GBRA mechanism.

FPL's proposal will support investment in improving fuel efficiency, generating cleaner energy and enhancing system reliability while keeping customer bills low. While FPL is mindful of the difficult economy, it is also responsible for making investments in the electrical infrastructure in order to have the ability to meet customer needs. That is why FPL is investing to make its infrastructure stronger every day, and investing in smart technology that gives customers more control and improves reliability. FPL is also doing its part to fight climate change by investing in even cleaner energy and investing to increase fuel efficiency and reduce reliance on any single source of fuel. Given these investments, and in light of the current financial market conditions, it is essential that FPL not only be provided the opportunity to recover costs associated with its prudent investments but also be provided the opportunity to maintain a strong financial position. Such a position is dependent upon a fair and reasonable authorized return on equity and directly benefits FPL's customers.

II. COMPARISON OF THE PRESENT AND PROPOSED RATES FOR CUSTOMER RATE CLASSES

Attached to this synopsis are MFR schedules A-1 through A-3 for the test year, which provide a comparison of the present rates and proposed 2010 rates, as well as MFR schedules A-1 through A-3 for the subsequent year, which provide a comparison of the present rates and proposed 2011 rates.

III. ANTICIPATED MAJOR RATE CASE ISSUES

The issues listed below are those that are currently anticipated by the Company to be among the major areas considered:

- 1. What is FPL's rate base in the test year and subsequent year?
- 2. What are FPL's test year and subsequent year working capital amounts?
- 3. What is FPL's test year and subsequent year cost of capital?
- 4. What are FPL's test year and subsequent year net operating incomes?
- 5. What is the proper Return on Equity for the test year and subsequent year?
- 6. Should the Generation Base Rate Adjustment be continued?
- 7. Should the rates for different classes of customers be set so that they all generate close to the same rate of return (this is referred to as "parity")?

IV. DESCRIPTION OF THE RATEMAKING PROCESS

A. What parties are involved in the ratemaking process?

A utility rate case can involve a number of different parties; however, they always involve:

1. The FPSC Commissioners - The governing body of a utility rate case in Florida is the Florida Public Service Commission. The FPSC is made up of five Commissioners, who are all appointed by the Governor. Those commissioners preside over the rate case, and all decisions on the issues raised in the case will be made based on the evidence presented.

- 2. The FPSC Staff The Commission is supported by a staff of over 300 professionals, including attorneys who assist with legal issues, engineers who conduct inspections of various premises and equipment, accountants who conduct audits of utilities' relevant accounts, rate and financial analysts, and consumer affairs specialists who investigate complaints filed against the utility. Together, the FPSC staff plays an integral role in assisting the Commission in the processing of a rate case.
- 3. The Office of Public Counsel The citizens of Florida are represented in every major rate case by the Office of Public Counsel ("OPC"). The OPC is staffed by attorneys, accountants, and rate and financial analysts. The Public Counsel, who is appointed by the state legislature, may also bring in outside consultants who will testify as expert witnesses during a rate case. The OPC will not only analyze the information a utility files, but may also present testimony from expert witnesses and citizens of the state who would like to testify during the course of the rate case.
- 4. The Utility As with any proceeding in front of the Commission, the utility itself plays a significant role in a rate case. Through the Officers and support staff, utilities provide critical information concerning operations, revenues, costs, and future economic forecasts. The utility may call witnesses to testify and may employ outside consultants to serve as expert witnesses.
- 5. The Intervenors In a rate case, any party whose interests are affected by the outcome of the case may file a petition with the FPSC to be an intervenor. As with any other party to a rate case, an intervenor may produce evidence, ask questions, and conduct direct and cross examinations of witnesses. Intervenors are most commonly customer or customer groups, including industrial or commercial organizations.
- B. What is involved in the ratemaking process? What information is considered?
- 1. A rate case commences with the utility submitting a letter to the FPSC informing the Commission of its intention to request a rate increase, and subsequently supplying the "test year" and filing date information.
- 2. The utility next files a formal request for a rate increase. In accordance with Commission Rules, this request must include properly completed Minimum Filing Requirements ("MFRs"). In conjunction with the filing of direct testimony of its witnesses, a utility's MFRs provide all parties with information about the financial condition of the utility. The MFRs contain facts and figures about a utility's costs, investments, and operations for the specified test year. As required by law, it is up to the utility to prove that the requested rate increase is necessary.

- 3. Pursuant to Florida law, the new rates will go into effect within eight months of the utility's filing. If the Commission has not made its decision by that time, the new rates collected by the utility are held subject to refund, pending the Commission's final decision. The Commission must issue its final order on the request within 12 months of the date upon which it determines that the utility has properly completed its MFRs. This period allows the Commission, along with FPSC Staff, the OPC, and any intervenor, time to compile all available information about the utility. Information requests may cover everything from what costs the utility incurs to how much it is charged in taxes. These requests may also ask for more information regarding a utility's construction expenditures, or other operating and financial matters. Meanwhile, the FPSC staff accountants will conduct an audit of the utility's accounts and records. During this time period, additional testimony may be filed by FPSC Staff and any party pursuant to the schedule adopted by the FPSC.
- 4. Before a utility can take any action concerning the rates it charges its customers, the matter must be presented to the Commission in the form of hearings. These hearings are run in accordance with rules that are similar to those that courts employ. Information is presented through the use of testimony, and the witnesses are subsequently subject to cross-examination. When the final decision is reached, only information collected during the hearing may serve as a basis for this decision.
 - a. The first hearings in a rate case commence not long after filing and are scheduled by the FPSC. These "service hearings" take place throughout a utility's service area and provide the utility's customers an opportunity to discuss their experiences with the utility. These experiences, positive or negative, provide a basis for future issues that the Commission may choose to investigate prior to the resolution of the rate case.
 - b. The next hearings are much more technical. These hearings afford the parties an opportunity to present witnesses and to cross-examine other parties' witnesses. The information collected at these hearings is more focused on the financial issues that are being decided and testimony is usually quite extensive. It is not uncommon for these hearings to continue for a number of days. As information about various costs or expenditures is presented, the Commission is charged with determining which costs are necessary and prudent. Those that are not deemed to be necessary and prudent are excluded from the utility's rate base and consequently not charged to the ratepayers.
 - c. Similar to what is done in court, the hearings are transcribed by a court reporter. The court reporters type out everything that is said during

the hearings and create transcripts of the day's events. In bigger cases, these transcripts can total hundreds, if not thousands, of pages.

- 5. When the hearings are over, the parties then must summarize their legal positions and arguments in the form of legal briefs, and file them with the Commission. The FPSC staff then evaluates these briefs in light of the evidence received at the hearings and develops formal recommendations that the Commission considers as it makes its final decision. All information filed with the Commission is made available to the public in Tallahassee except for information determined to be proprietary confidential business information that is exempt from public disclosure. The utility's MFRs are made available to the public in the utility's offices located in Juno Beach and Miami and at the locations listed in Section VI, below.
- 6. The final decision is recorded on a vote sheet, which lists the numerous issues that require a decision to be made by the Commissioners. Reviewing the information can be quite time consuming, and in larger cases, this process may require several days work.
- 7. The final step in a rate case is for the Commission to issue an order that embodies the final decision reached by the Commissioners. The order will state the background of the rate case, the decisions made, and the basis for those decisions. This order will also discuss any changes in the utility's rates and charges, and the dates that any new rates and charges are to take affect. Upon the issuance of the order, any party may request that the FPSC reconsider any particular decision. Following this reconsideration, a dissatisfied party may appeal to the appropriate court.

V. TIME SCHEDULE

2009 General Rate Case Schedule

Service Hearings:

June 19, 2009, 11:00 a.m. Sarasota City Commission Chambers City Hall 1565 First Street Sarasota, FL 32436

June 19, 2009 – 6:00 p.m.

Ft. Myers

Lee County Public Education Center

Board Room

2855 Colonial Blvd

Ft. Myers, FL 33966

June 23, 2009 – 4:00 p.m.

Daytona

Daytona Beach City Commission Chambers 301 S. Ridgewood Avenue Daytona Beach, FL 32114

June 24, 2009 - 9:00 a.m.

Melbourne

Brevard County Governmental Center Commission Room, Building C 2725 Judge Frances Jameson Way Melbourne, FL 32940

June 24, 2009 - 4:00 p.m.

West Palm Beach

Palm Beach County Governmental Center Jane Thompson Memorial Chambers 301 N. Olive Avenue West Palm Beach, FL 33401

June 25, 2009 - 9:00 a.m.

Ft. Lauderdale

Broward County Main Library Auditorium 100 S. Andrews Avenue Ft. Lauderdale, FL 33301

June 25, 2009 – 4:00 p.m.

Miami

To Be Determined

Pre-Hearing Conference:

August 17, 2009

Florida Public Service Commission

2540 Shumard Oak Blvd

Betty Easley Conference Center, Room 148

Tallahassee, FL 32399-0850

Hearing:

August 24, 2009 - August 28, 2009

August 31, 2009

September 2, 2009 – September 4, 2009 Florida Public Service Commission

2540 Shumard Oak Blvd

Betty Easley Conference Center, Room 148

Tallahassee, FL 32399-0850

VI. LOCATIONS AT WHICH COMPLETE MFRs ARE AVAILABLE FOR INSPECTION

- FPL Juno Beach Headquarters
 700 Universe Boulevard
 Juno Beach, FL 33048
- FPL Miami General Office 9250 West Flagler Street Miami, FL 33174
- 3. Volusia County Library Center 1290 Indian Lake Road Daytona Beach, FL 32124
- 4. Brevard County Main Public Library 308 Forrest Avenue Cocoa, FL 32922
- Palm Beach County Main Public Library 3650 Summit Blvd.
 West Palm Beach, FL 33406
- 6. Broward County Main Public Library 100 S. Andrews Avenue Ft. Lauderdale, FL 33301
- 7. Miami-Dade County Main Public Library 101 W. Flagler Street Miami, FL 33130
- 8. Selby Public Library of Sarasota 1331 First Street Sarasota, FL 34236
- 9. Lee County Main Public Library 2050 Central Avenue Ft. Myers, FL 33901

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company) Docket No: 080677-EI)
STATE OF FLORIDA COUNTY OF PALM BEACH) AFFIDAVIT OF ROGER L. MEADOR)
BEFORE ME , the undersigned being first duly sworn, deposes and	gned authority, personally appeared Roger L. Meador who, says:
1. My name is Roger L. Meador. I am currently employed by Florida Power & Light Company ("FPL") as Print Copy & Mail Service Manager. My business address is 700 Universe Boulevard, Juno Beach, FL 33408. I have personal knowledge of the matters stated in this affidavit.	
officer of each county and munici county public libraries within its se	L's mailing of its rate case synopsis to the chief executive ipality within its service area, as well as each of the main ervice area, FPL delivered the synopsis to the Miami General Ste. 514, Miami, FL 33152-9998, at 9:45 a.m. on Thursday, Class United States Mail.
3. Affiant says nothing	further. Roger L. Meador
My Commission Expires: 12/18/1	Monica June Pademo Notary Public, State of Florida
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City Manager Daniel Hudson 121 SW Flagler Ave Stuart, FL 34994

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Lee County Public Library 2050 Central Avenue Fort Myers, FL 33901



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City Manager James McKnight 1600 Huntington Lane Rockledge, FL 32955



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Mayor Jack McDonald 360 S. County Rd. Palm Beach, FL 33480

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City Manager Lomax Harrelle 335 SW 2nd Ave South Bay, FL 33493



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Mayor Larry Schultz 1600 Huntington Lane Rockledge, FL 32955



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Mayor Kenneth Schultz 7580 South Federal Highway Hypoluxo, FL 33432



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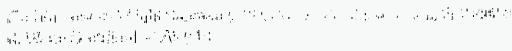


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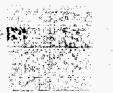


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City Manager Richard Sala 701 SW 71st Avenue North Lauderdale, FL 33068



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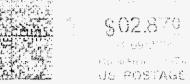


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Mayor Mariette Saint Vil 500 NE 87 Street El Portal, FL 33138 athendella torrer et l'Angle, d'Angenaen, titt, avec l'éle et les autres envel d'Angel. La partielle de grande l'Angelia.

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Mayor David Stewart 500 Greynolds Circle Lantana, FL 33462



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Mayor Glenn Singer One Golden Beach Dr Golden Beach, FL 33160



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Mayor Paul Vrooman 10720 Caribbean Blvd Suite 105 Cutler Bay, FL 33189



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Mayor Kevin Burns 776 NE 125 Street North Miami , FL 33161



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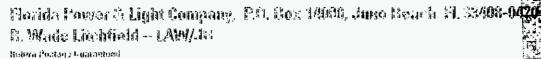
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Mayor Michael Thomas

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County Manager Wendell Taylor P. O. Box 1018

Moore Haven, FL 33471



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City Manager Anita Taylor 4300 NW 36 Street Lauderdale Lakes, FL 33319-5599



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Mayor Jerry Taylor 100 E. Ocean Blvd Boynton Beach, FL 33435



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Town Manager Rex Taylor 3577 S. Ocean Blvd. South Palm Beach, FL 33480



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Mayor Otis T. Wallace 404 West Palm Drive Florida City, FL 33034-3346



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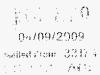
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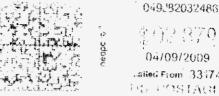
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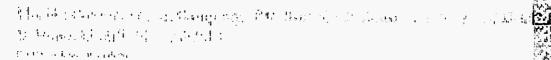


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