

Ruth Nettles

090002-EG

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Sent: Friday, October 16, 2009 4:38 PM
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Subject: Electronic Filing / Docket 090002-EG/ FPL's Amended Prehearing Statement
Attachments: 10 16 09 FPL's Amended Prehearing Statement.pdf

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 090002-EG \ In re: Energy Conservation Cost Recovery Clause

c. Document is being filed on behalf of Florida Power & Light Company.

d. There are a total of 7 pages in the attached document.

e. The document attached for electronic filing is Florida Power & Light Company's Amended Prehearing Statement

Thank you for your attention and cooperation to this request.

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DOCUMENT NUMBER-DATE

10647 OCT 16 8

10/16/2009

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost)
Recovery Clause)
_____)

Docket No. 090002-EG

Filed: October 16, 2009

**FLORIDA POWER & LIGHT COMPANY'S AMENDED
PREHEARING STATEMENT**

Florida Power & Light Company ("FPL"), pursuant to Order No. PSC-09-0184-PCO-EG, hereby files its Amended Prehearing Statement in Docket No. 090002-EG to include FIPUG's FPL company specific conservation cost recovery issues and Staff's Issue 5.

I. FPL WITNESSES

Direct Testimony

Witness

Leonor M. Herrera

Subject Matter

Issue 1

Anita Sharma

Issues 2, 3, 4, 5

Rebuttal Testimony

Witness

John R. Haney

Subject Matter

Rebuttal to testimony of
FIPUG witness Jeffrey
Pollock

II. EXHIBITS

Exhibit

Content

Sponsoring Witness

LMH-1

Schedules CT-1 through CT-6, Appendix A

L. M. Herrera/ A. Sharma

AS-1

Schedules C-1 through C-5

A. Sharma

III. STATEMENT OF BASIC POSITION

FPL's proposed Conservation Cost Recovery Factors for the January 2010 through December 2010 recovery period and true-up amounts for prior periods should be approved.

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FPSC-COMMISSION CLERK

IV. ISSUES AND POSITIONS

ISSUE 1: What are the final conservation cost recovery true-up amounts for the period January 2008 through December 2008?

FPL: \$ 4,994,170 under recovery (HERRERA)

ISSUE 2: What are the actual/estimated conservation cost recovery true-up amounts for the period January 2009 through December 2009?

FPL: \$3,957,412 under recovery (SHARMA)

ISSUE 3: What are total conservation cost recovery amounts to be collected during the period January 2010 through December 2010?

FPL: \$179,713,960 including prior period true-up amounts and taxes. (SHARMA)

ISSUE 4: What are the conservation cost recovery factors for the period January 2010 through December 2010?

FPL:	Rate Class	Conservation Recovery Factor \$/kWh
	RS1/RST1	0.00188
	GS1/GST1	0.00186
	GSD1/GSDT1/HLFT(21-499 kW)	0.00170
	OS2	0.00191
	GSLD1/GSLDT1/CS1/CST1/HLFT(500-1,999 kW)	0.00166
	GSLD2/GSLDT2/CS2/CST2/HLFT(2,000 + kW)	0.00155
	GSLD3/GSLDT3/CS3/CST3	0.00142
	ISST1D	0.00143
	ISST1T	0.00130
	SST1T	0.00130
	SST1D1/SST1D2/SST1D3	0.00143

CILC D/CILC G	0.00152
CILC T	0.00141
MET	0.00180
OL1/SL1/PL1	0.00093
SL2, GSCU1	0.00146 (SHARMA)

ISSUE 5: What should be the effective date of the new conservation cost recovery factors for billing purposes?

FPL: January 1, 2010 through December 31, 2010 (SHARMA)

FIPUG'S FPL COMPANY SPECIFIC CONSERVATION COST RECOVERY ISSUES

FIPUG ISSUE 11: Has FPL appropriately reflected the cost of its CILC program?

FPL: The issue identified as **FIPUG ISSUE 11** is not appropriately litigated in this docket and should be addressed, if at all, in the DSM Docket. Having so stated, FPL has appropriately reflected the cost of the CILC program. (HANEY)

FIPUG ISSUE 12: What is the appropriate value for FPL's Commercial Industrial Demand Reduction Rider (CDR)?

FPL: The issue identified as **FIPUG ISSUE 12** is not appropriately litigated in this docket and should be addressed, if at all, in the DSM Docket. Having so stated, the CDR credit should remain at \$4.68 per kW as no modifications are justified at this time. (HANEY)

FIPUG ISSUE 13: Should the value of interruptible power be reflected in the credits applicable to FPL's stand-by customers?

FPL: The issue identified as **FIPUG ISSUE 13** is not appropriately litigated in this docket and should be addressed, if at all, in the DSM Docket. Having so stated, the value of interruptible power is already reflected in the overall lower price of electricity paid by the program participants, and no modifications are justified. (HANEY)

FIPUG ISSUE 14: Should the customers have the option to lock in the CDR credits for at least 3 years?

FPL: The issue identified as **FIPUG ISSUE 14** is not appropriately litigated in this docket and should be addressed, if at all, in the DSM Docket. Having so stated, the CDR credit, like all ECCR incentives, should not be locked in for any period. The company should be allowed to increase or decrease incentive levels to match current market conditions. Incentives are set to achieve approved goals at the lowest cost to customers. (HANEY)

STAFF'S GENERIC CONSERVATION COST RECOVERY ISSUES

STAFF ISSUE 5: Should FPL's and PEF's conservation program costs be recovered on a demand basis? (FIPUG ISSUE)

FPL: No position at this time.

V. STIPULATED ISSUES

None at this time.

VI. PENDING MOTIONS

FPL has no pending motions or other matters upon which it seeks action other than its pending petitions for approval of a final true-up and conservation cost recovery factors.

VII. PENDING REQUESTS FOR CONFIDENTIALITY

First request for extension of confidential classification of materials provided in Audit No. 07-071-4-3, DN's 05980-07 and 06583-07, dated April 15, 2009.

Third request for extension of confidential classification of certain materials provided in Audit No. 00-047-4-1, DN's 08718-00 and 09551-00, dated August 13, 2009

Request for confidential classification of information provided pursuant to Audit No. 09-028-4-1, DN 086665-09, dated August 19, 2009.

VIII ANY OBJECTIONS TO WITNESS'S QUALIFICATIONS AS AN EXPERT

None at this time.

IX. REQUIREMENTS OF THE PREHEARING ORDER THAT CANNOT BE MET

FPL believes it has complied with all requirements regarding prehearing procedures.

X. OTHER MATTERS

FPL believes there are no other matters that require the Prehearing Officer's attention.

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By: s/Kenneth M. Rubin
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Amended Prehearing Statement was served by electronic mail this 16th day of October, 2009 to the following:

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