

## Matilda Sanders

From:	John Butler [John.Butler@steelhector.com]
Sent:	Monday, October 03, 2005 4:18 PM
То:	Filings@psc.state.fl.us
Cc:	tompsi@aol.com; lwillis@ausley.com; JAS@beggslane.com; mark_hoffmann@csx.com; southflorida@fpuc.com; gperko@hgslaw.com; schef@landersandparsons.com; Charles Beck; beck.charlie@leg.state.fl.us; CHRISTENSEN.PATTY@leg.state.fl.us; jmcwhirter@mac- law.com; tperry@mac-law.com; jmoylejr@moylelaw.com; james.mcgee@pgnmail.com; Adrienne Vining; Jennifer Rodan; sdriteno@southernco.com; RegDept@Tecoenergy.com
Subjec	ct: Filing for Docket No. 050001-El
Attach	ments: FPL (FAC) preliminary issue list.doc

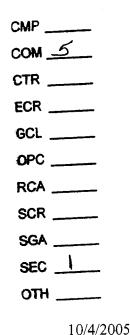
On behalf of Florida Power & Light Company ("FPL"), please accept for electronic filing in Docket No. 050001-El the attached List of Issues and Positions, which totals nine pages including the attached certificate of service.

A copy of this filing has been sent electronically to counsel for all parties of record.

Thank you for your assistance with filing.

Sincerely,

John T. Butler Squire Sanders & Dempsey, LLP, including Steel Hector & Davis LLP Suite 4000 200 South Biscayne Boulevard Miami, Florida 33131-2398 Tel.: 305-577-7000 Fax: 305-358-7336



DOCUMENT NUMBER-DATE

09386 OCT-38

FPSC-COMMISSION CLERK

# ORIGINAL

# **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and Purchased Power)Cost Recovery Clause and)Generating Performance)Incentive Factor)

DOCKET NO. 050001-EI FILED: October 3, 2005

# FLORIDA POWER & LIGHT COMPANY'S LIST OF ISSUES AND POSITIONS

## FUEL ADJUSTMENT ISSUES

- **ISSUE 1:** What are the appropriate final fuel adjustment true-up amounts for the period January, 2004 through December, 2004?
  - FPL: \$7,707,142 under-recovery. (DUBIN)
- **ISSUE 2:** What are the appropriate estimated/actual fuel adjustment true-up amounts for the period January, 2005 through December 2005?
  - FPL: \$761,656,548 under-recovery. (DUBIN)
- **ISSUE 3:** What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January, 2006 through December, 2006?

**FPL:** The total fuel adjustment true-up amount is \$769,363,690. FPL proposes to spread this amount over a two-year period. Therefore, one-half of the total under-recovery or \$384,681,845 under-recovery should be collected from January 2006 through December 2006. (DUBIN)

- **ISSUE 4:** What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January, 2006 through December, 2006?
  - **FPL:** 1.00072. (DUBIN)
- **ISSUE 5:** What are the appropriate projected net fuel and purchased power cost recovery amounts to be included for the period January, 2006 through December, 2006?

**FPL:** \$5,849,519,807. (DUBIN)

DOCUMENT NUMBER-DATE

09386 OCT-38

FPSC-COMMISSION CLERK.

**ISSUE 6:** What are the appropriate levelized fuel cost recovery factors for the period January, 2006 through December, 2006?

**FPL:** 5.869 cents/kWh. (DUBIN)

- **ISSUE 7:** What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?
  - **FPL:** The appropriate Fuel Cost Recovery Loss Multipliers are provided in response to Issue No. 8. (DUBIN)
- **ISSUE 8:** What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

FPL:

	RATE		AVERAGE	FUEL	FUEL RECOVERY
GROUP	SCHEDULE		FACTOR	RECOVERY LOSS MULTIPLIER	FACTOR
А	RS-1 first 1,000 kWh all a	dditional kWh	5.869 5.869	1.00196 1.00196	5.530 6.530
А	GS-1, SL-2, GSCU-1		5.869	1.00196	5.880
A-1*	SL-1, OL-1, PL-1		5.787	1.00196	5.798
В	GSD-1		5.869	1.00189	5.880
С	GSLD-1 & CS-1		5.869	1.00095	5.874
D	GSLD-2, CS-2, OS-2 & MET		5.869	0.99429	5.835
Е	GSLD-3 & CS-3		5.869	0.95824	5.624
A	RST-1, GST-1 ON-PE OFF-F		6.257 5.698	1.00196 1.00196	6.269 5.709
В	GSDT-1, CILC-1(G), HLTF (21-499 kW)	ON-PEAK OFF-PEAK	6.257 5.698	1.00189 1.00189	6.269 5.709
С	GSLDT-1, CST-1, HLTF (500-1,999 kW)	ON-PEAK OFF-PEAK	6.257 5.698	1.00095 1.00095	6.263 5.703
D	GSLDT-2, CST-2, HLTF (2,000+)	ON-PEAK OFF-PEAK	6.257 5.698	0.99533 0.99533	6.228 5.671

E	GSLDT-3,CST-3, ON-PEAK CILC -1(T) OFF-PEAK & ISST-1(T)	6.257 5.698	0.95824 0.95824	5.996 5.460
F	CILC -1(D) & ON-PEAK	6.257	0.99374	6.218
	ISST-1(D) OFF-PEAK	5.698	0.99374	5.662

WEIGHTED AVERAGE 16% ON-PEAK AND 84% OFF-PEAK

DETERMINATION OF SEASONAL DEMAND TIME OF USE RIDER (SDTR) FUEL RECOVERY FACTORS

\*

ON PEAK: JUNE 2006 THROUGH SEPTEMBER 2006 - WEEKDAYS 3:00 PM TO 6:00 PM OFF PEAK: ALL OTHER HOURS

(1)		(2)	(3)	(4)	(5)
					SDTR
	OTHERWIS	SE APPLICABLE	AVERAGE	FUEL	FUEL RECOVERY
	D		FLOTOR	RECOVERY	
GROUP	RAIE	SCHEDULE	FACTOR	LOSS	FACTOR
				MULTIPLIER	
В	GSD(T)-1	ON-PEAK	6.236	1.00189	6.248
2	000(.)	OFF-PEAK	5.754	1.00189	5.765
		01112/11			0.700
С	GSLD(T-)1	ON-PEAK	6.236	1.00095	6.242
		OFF-PEAK	5.754	1.00095	5.760
D	GSLD(T)-2	ON-PEAK	6.236	0.99533	6.207
	. ,	OFF-PEAK	5.754	0.99533	5.727

Note: All other months served under the otherwise applicable rate schedule.

#### (DUBIN)

- **<u>ISSUE 9:</u>** What should be the effective date of the fuel adjustment charge and capacity cost recovery charge for billing purposes?
  - **FPL:** The Company is requesting that the new Fuel Cost Recovery and Capacity Cost Recovery Factors should become effective with customer bills for January, 2006 through December, 2006. This will provide 12 months of billing on the Fuel Cost Recovery and Capacity Cost Recovery Factors for all customers. (DUBIN)

- **ISSUE 10:** What are the appropriate actual benchmark levels for calendar year 2005 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?
  - **FPL:** \$15,370,850. (DUBIN)
- **ISSUE 11:** What are the appropriate estimated benchmark levels for calendar year 2006 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?
  - **FPL:** \$16,571,154 subject to adjustments in the 2005 final true-up filing to include all actual data for the year 2005. (DUBIN)
- **ISSUE 13A:** Should the Commission approve FPL's proposed inverted rate structure for the fuel factor applicable to residential customers?

**FPL:** Yes. FPL's proposed inverted fuel factor will send a more appropriate price signal to its residential customers. The inverted rate structure recognizes that there is a certain level of electric consumption required to maintain a standard level of household services, including lighting, refrigeration, and so forth. Conversely, usage above 1,000 kWh is more likely to be discretionary. Charging a higher factor for usage above 1,000 kWh provides an incentive for households to reduce discretionary electric usage. (DUBIN)

**<u>ISSUE 13B</u>**: Should the Commission approve recovery of the St. Lucie Unit No. 2 steam generator tube sleeving project cost through the Fuel Cost Recovery Clause?

**FPL:** Yes. This treatment is consistent with Order No. 14546 in Docket No. 850001-EI-B issued July 8, 1985 which addressed costs that may be appropriately included in the calculation of recoverable fuel costs. The Commission allowed fuel-related costs that are normally recovered through base rates to be recovered through the fuel clause if they will result in fuel savings to customers and are not being recovered elsewhere. In 2006, nuclear generation from St. Lucie Unit No. 2 operating at its full rated output is projected to save FPL's customers approximately \$1.26 million per day when compared to generating an equivalent amount of power using fossil fuels. FPL is undertaking the sleeving project so that St. Lucie Unit No. 2 can continue operating at its full rated output and thus continue to provide this low cost nuclear generation to FPL's customers. Because of the large fuel savings that will result from the sleeving project, especially in these times of high fossil fuel costs, FPL believes that recovery of the costs associated with the project through the Fuel Cost Recovery Clause is appropriate. (GWINN/DUBIN)

**ISSUE 13C:** Is FPL's proposed treatment of the settlement amount for FPL's claim against the DOE for being overcharged for High Assay Costs in calculating the price for uranium enrichment services during 1992 and 1993 and associated litigation expenses incurred by FPL appropriate?

**FPL:** Yes. FPL's portion of the settlement is estimated to be \$6,845,200, and FPL's associated litigation expenses are \$403,017. FPL proposes both to flow back this \$6,845,200 settlement to customers through the Fuel Cost Recovery Clause and to recover the \$403,017 in litigation expenses through the Fuel Cost Recovery Clause, resulting in a net \$6,442,183 reduction in fuel costs in 2005. Recovery of the litigation expenses is consistent with Order No. PSC-93-0443-FOF-EI in Docket No. 930001-EI dated March 23, 1993. (GWINN/DUBIN)

#### **GENERATING PERFORMANCE INCENTIVE FACTOR (GPIF) ISSUES**

- **ISSUE 17**: What is the appropriate generation performance incentive factor (GPIF) reward or penalty for performance achieved during the period January, 2004 through December, 2004 for each investor-owned electric utility subject to the GPIF?
  - **FPL:** \$10,816,748 reward. (SONNELITTER)
- **ISSUE 18:** What should the GPIF target/ranges be for the period January, 2006 through December, 2006 for each investor-owned electric utility subject to the GPIF?
  - **FPL:** The targets and ranges should be as set forth in the Testimony and Exhibits of P. Sonnelitter including the following:

PLANT/UNIT	EAF TARGET (%)	HEAT RATE HR. TARGET (BTU/KWH)
Ft. MYERS 2	93.1	6,637
LAUDERDALE 4	93.3	7,388
LAUDERDALE 5	92.9	7,411
MARTIN 1	90.8	9,818
MARTIN 2	84.5	9,598
MARTIN 3	73.0	6,933
MARTIN 4	90.8	6,760
SANFORD 5	91.3	6,727
SCHERER 4	85.9	9,802
ST. LUCIE 1	93.6	10,818
ST. LUCIE 2	75.8	10,879
TURKEY POINT 3	86.0	10,848
TURKEY POINT 4	86.8	10,811
		(SONNELITTER)

### GENERIC CAPACITY COST RECOVERY FACTOR ISSUES

- **ISSUE 23:** What are the appropriate final capacity cost recovery true-up amounts for the period January, 2004 through December, 2004?
  - **FPL:** \$5,177,060 over- recovery. (DUBIN)
- **ISSUE 24:** What are the appropriate estimated/actual capacity cost recovery true-up amounts for the period January, 2005 through December, 2005?
  - **FPL:** \$12,294,835 under-recovery. (DUBIN)
- **ISSUE 25:** What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January, 2006 through December, 2006?
  - **FPL:** \$7,117,775 under-recovery. (DUBIN)
- **ISSUE 26:** What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January, 2006 through December, 2006?
  - **FPL:** \$647,486,565 (DUBIN)
- **ISSUE 27:** What are the appropriate jurisdictional separation factors to be applied to determine the capacity costs to be recovered during the period January, 2006 through December, 2006?
  - **FPL:** The appropriate jurisdictional separation factors are: FPSC 98.62224% FERC 1.37776% (DUBIN)

**<u>ISSUE 28:</u>** What are the appropriate capacity cost recovery factors for the period January, 2006 through December, 2006?

#### FPL:

Rate Schedule	Capacity Recovery Factor (\$/kw)	Capacity Recovery Factor (\$/kwh)
RS1/RST1	-	0.00603
GS1/GST1	-	0.00573
GSD1/GSDT1/HLTF(21-499 kW)	2.33	-
OS2	-	0.00489
GSLD1/GSLDT1/CS1/CST1/HLTF(500-1,999 kW)	2.27	-
GSLD2/GSLDT2/CS2/CST2/HLTF(2,000+ kW)	2.19	-
GSLD3/GSLDT3/CS3/CST3	2.10	-
CILC D/CILC G	2.38	-
CILC T	2.27	-
MET	2.35	-
OL1/SL1/PL1	-	0.00175
SL2, GSCU1	-	0.00402

RATE CLASS	CAPACITY RECOVERY FACTOR (RESERVATION DEMAND CHARGE) (\$/KW)	CAPACITY RECOVERY FACTOR (SUM OF DAILY DEMAND CHARGE) (\$/KW)
ISST1D ISST1T SST1T SST1D1/SST1D2/ SST	.29 .27 .27 .28	.14 .13 .13 .13

#### (DUBIN)

Respectfully submitted,

R. Wade Litchfield, Esq. Associate General Counsel Florida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 33408-0420 Telephone: 561-691-7101 Steel Hector & Davis LLP Attorneys for Florida Power & Light Company 200 South Biscayne Boulevard Suite 4000 Miami, Florida 33131-2398 Telephone: 305-577-2939

By: <u>s/John T. Butler</u> John T. Butler Fla. Bar No. 283479

#### CERTIFICATE OF SERVICE Docket No. 050001-EI

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic delivery this 3rd day of October 2005, to the following:

Adrienne E. Vining, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Lee L. Willis, Esq. James D. Beasley, Esq. Ausley & McMullen Attorneys for Tampa Electric P.O. Box 391 Tallahassee, Florida 32302

Timothy J. Perry, Esq. McWhirter, Reeves, McGlothlin, Davidson, et al. Attorneys for FIPUG 117 South Gadsden Street Tallahassee, Florida 32301

John W. McWhirter, Jr., Esq. McWhirter, Reeves, McGlothlin, Davidson, et al. Attorneys for FIPUG P.O. Box 3350 Tampa, Florida 33602 Charles J. Beck, Esq. Patricia A. Christensen, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399

James A. McGee, Esq. Progress Energy Florida, Inc. P.O. Box 14042 St. Petersburg, Florida 33733

Norman H. Horton, Esq. Floyd R. Self, Esq. Messer, Caparello & Self Attorneys for FPUC 215 South Monroe Street, Suite 701 Tallahassee, Florida 32302-0551

Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power P.O. Box 12950 Pensacola, Florida 32576-2950 Jon C. Moyle, Jr. Esq. Moyle, Flannigan, Katz, Raymond & Sheehan, P.A. The Perkins House 118 North Gadsden Street Tallahassee, Florida 32301

.

Gary V. Perko, Esq. Hopping Green & Sams P. O. Box 6525 Tallahassee, FL 32314 Robert Scheffel Wright, Esq. John Thomas LaVia, III, Esq. Landers & Parsons, P.A. 310 West College Avenue Tallahassee, Florida 32301

By: <u>s/ John T. Butler</u> John T. Butler