

Dorothy Menasco

080407

From: Dorothy Menasco
Sent: Wednesday, December 02, 2009 2:01 PM
To: Katherine Fleming; Richard Bellak
Cc: Ruth Nettles
Subject: FW: Vicki Kaufman

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 06848-08
DISTRIBUTION: _____

Katherine,

We made the change to the contact information for Vicki Kaufman in the following docket. Please advise if those are all correct.

Richard,

I'm including you on this e-mail because you are listed as the lead attorney on Docket 080317. Ms. Kaufman's e-mail address was changed from vkaufman@asglaw.com to vkaufman@kagmlaw.com.

- 080413
- 090079
- 090144
- 090145
- 080317
- 080407
- 080408
- 080409
- 080410
- 080411
- 080412

From: Ruth Nettles
Sent: Wednesday, December 02, 2009 12:02 PM
To: Dorothy Menasco
Subject: RE: Vicki Kaufman

Also, 080413 was also changed.

From: Ruth Nettles
Sent: Wednesday, December 02, 2009 12:01 PM
To: Dorothy Menasco
Subject: RE: Vicki Kaufman

Dorothy, in addition to Dockets 090079, 090144 and 090145, I globally changed the following Dockets to reflect vkaufman@kagmlaw.com.

- 080317
- 080407
- 080408
- 080409
- 080410
- 080411

12/2/2009

080412

Ruth

From: Dorothy Menasco
Sent: Wednesday, December 02, 2009 11:40 AM
To: Katherine Fleming
Cc: Ruth Nettles
Subject: RE: Vicki Kaufman

Will do! Thank you for the follow-up. I'll let you know if any changes are made in those dockets.

From: Katherine Fleming
Sent: Wednesday, December 02, 2009 11:38 AM
To: Dorothy Menasco
Cc: Ruth Nettles
Subject: RE: Vicki Kaufman

You may want to check to see if her email address is correct in docket nos. 090079 and 090145. Thanks for all your help!

From: Dorothy Menasco
Sent: Wednesday, December 02, 2009 11:37 AM
To: Katherine Fleming
Cc: Ruth Nettles
Subject: RE: Vicki Kaufman

Great, thank you for letting us know about the incorrect e-mail address. In looking at the entry, it looks like the e-mail address for Vicki Kaufman in Docket 090144 (according to DN 04557-09) should be vkaufman@kagmlaw.com. If you can confirm that the e-mail address is current/correct, I will make that change. Thank you for your help!

From: Katherine Fleming
Sent: Wednesday, December 02, 2009 8:35 AM
To: Dorothy Menasco
Cc: Ruth Nettles
Subject: FW: Updated filing in Docket No. 090144-EI (Progress Energy Florida, Inc.)

From: Katherine Fleming
Sent: Wednesday, December 02, 2009 8:35 AM
To: Dorothy Menasco; Ruth Nettles
Cc: Ann Cole
Subject: RE: Vicki Kaufman

I just sent you a separate email with the link that I received. Please let me know if you need anything else!

From: Dorothy Menasco
Sent: Wednesday, December 02, 2009 8:34 AM
To: Ruth Nettles; Katherine Fleming
Cc: Ann Cole
Subject: RE: Vicki Kaufman

Thank you, Ruth.

12/2/2009

Good morning, Katherine. Can you please advise what docket this is in reference to?

Dorothy Menasco
Chief Deputy Commission Clerk
Florida Public Service Commission
Office of Commission Clerk
850-413-6770

From: Ruth Nettles
Sent: Wednesday, December 02, 2009 8:25 AM
To: Dorothy Menasco
Subject: FW: Vicki Kaufman
Importance: High

Dorothy, FYI.. We need more information. I'll be glad to help if you need me to.

From: Katherine Fleming
Sent: Tuesday, December 01, 2009 5:03 PM
To: Ann Cole; Kimberley Pena; Ruth Nettles
Subject: Vicki Kaufman
Importance: High

I just received an email notification that something was faxed to Vicki Kaufman and I noticed that her contact information on CMS is incorrect. Her email address is incorrect. Just wanted to let you know.

Thanks.

Dorothy Menasco

080407

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer**From:** Susac, Jeremy [Jeremy.Susac@eog.myflorida.com]**Sent:** Friday, August 28, 2009 5:03 PM**To:** Filings@psc.state.fl.us; Cummins, Brittany**Subject:** Re: Docket No. 080407-EG, 080408-EG, 080409-EG, 080410-EG, 080411-EG, 080412-EG, 080413-EGDOCUMENT NO. 06848-08

DISTRIBUTION: _____

We are fine w earlier submission. Pursuant to the certificate we were cc'ing/serving all parties by email unlike the earlier submission

From: Filings@psc.state.fl.us**To:** Cummins, Brittany; Susac, Jeremy; Ruth Nettles ; Ann Cole**Sent:** Fri Aug 28 16:55:05 2009**Subject:** FW: Docket No. 080407-EG, 080408-EG, 080409-EG, 080410-EG, 080411-EG, 080412-EG, 080413-EG

Ms. Cummins:

The attached e-filing appears to be a duplicate of an e-filing received from you at 4:11 p.m. today. It appears that the only change(s) is/are being made on the transmittal cover page. Please note that per the PSC e-filing requirements the e-mail message transmitting the document to be filed is not itself considered a filing. Therefore, documents contained within the text of an e-mail transmission will not be considered filed. As such, the filing received at 4:47 p.m. will not be considered an official filing.

A link to the PSC e-filing requirements is being provided for your convenience:

<http://www.psc.state.fl.us/dockets/e-filings/>

Please call our office if you have any questions.

*Dorothy Menasco**Chief Deputy Commission Clerk**Florida Public Service Commission**Office of Commission Clerk**850-413-6770***From:** Cummins, Brittany [mailto:Brittany.Cummins@eog.myflorida.com]**Sent:** Friday, August 28, 2009 4:46 PM**To:** Filings@psc.state.fl.us

Cc: john.burnett@pgnmail.com; jbeasley@ausley.com; srg@beggsllane.com; nhorton@lawfla.com; ryoung@yvlaw.net; garyp@hgslaw.com; wade_litchfield@fpl.com; suzannebrownless@comcast.net; Erik Saylor; Katherine Fleming; ljacobs50@comcast.net; george@cavros-law.com; sclark@radeylaw.com; cbrowder@ouc.com; jmcwhirter@mac-law.com; vkaufman@asglegal.com; Jessica.Cano@fpl.com; cguyton@ssd.com; millta@jea.com; paul.lewisjr@pgnmail.com; Regdept@tecoenergy.com; sdriteno@southernco.com; Susac, Jeremy; Vickers, Robert

Subject: Docket No. 080407-EG, 080408-EG, 080409-EG, 080410-EG, 080411-EG, 080412-EG, 080413-EG

- a. **The full name, address, telephone number, and e-mail address of the person responsible for the electronic filing:**

Jeremy L. Susac
Executive Director
Governor Crist's Energy Office
Florida Energy & Climate Commission
600 South Calhoun St., Suite 251

8/31/2009

Tallahassee, FL 32399-0001
jeremy.susac@eog.myflorida.com
850-487-3800 (phone)
850-922-9701 (fax)

b. The docket number and title if filed in an existing docket:

This filing is made in regard to the Florida Energy & Climate Commission review of numeric conservation goals for:

Florida Power & Light (Docket No. 080407-EG)
Progress Energy Florida, Inc. (Docket No. 080408-EG)
Tampa Electric Company (Docket No. 080409-EG)
Gulf Power Company (Docket No. 080410-EG)
Florida Public Utilities Company (Docket No. 080411-EG)
Orlando Utilities Commission (Docket No. 080412-EG)
JEA (Docket No. 080413-EG)

c. The name of the party on whose behalf the document is filed:

The document is filed on behalf of Florida Energy & Climate Commission

d. The total number of pages in each attached document:

18 pages

e. A brief but complete description of each attached document:

The attached document is Florida Energy & Climate Commission's post-hearing brief

Regards,
Brittany Cummins
Governor's Energy Office
Office of Governor Charlie Crist
600 S. Calhoun St., Suite 251
Tallahassee, FL 32399-0001
850-922-4917
www.myfloridaclimate.com

Dorothy Menasco

080407

From: Filings@psc.state.fl.us
Sent: Friday, August 28, 2009 4:55 PM
To: 'brittany.cummins@eog.myflorida.com'; Susac, Jeremy; Ruth Nettles; Ann Cole
Subject: FW: Docket No. 080407-EG, 080408-EG, 080409-EG, 080410-EG, 080411-EG, 080412-EG, 080413-EG
Attachments: FECC's Post-hearing brief.pdf

Ms. Cummins:

The attached e-filing appears to be a duplicate of an e-filing received from you at 4:11 p.m. today. It appears that the only change(s) is/are being made on the transmittal cover page. Please note that per the PSC e-filing requirements the e-mail message transmitting the document to be filed is not itself considered a filing. Therefore, documents contained within the text of an e-mail transmission will not be considered filed. As such, the filing received at 4:47 p.m. will not be considered an official filing.

A link to the PSC e-filing requirements is being provided for your convenience:

<http://www.psc.state.fl.us/dockets/e-filings/>

Please call our office if you have any questions.

Dorothy Menasco
 Chief Deputy Commission Clerk
 Florida Public Service Commission
 Office of Commission Clerk
 850-413-6770

FPSC, CLK - CORRESPONDENCE
 ___Administrative___/___Parties___/___Consumer___
DOCUMENT NO. 06848-08
DISTRIBUTION: _____

From: Cummins, Brittany [mailto:Brittany.Cummins@eog.myflorida.com]
Sent: Friday, August 28, 2009 4:46 PM
To: Filings@psc.state.fl.us
Cc: john.burnett@pgnmail.com; jbeasley@ausley.com; srg@beggsllane.com; nhorton@lawfla.com; ryoung@yvlaw.net; garyp@hgslaw.com; wade_litchfield@fpl.com; suzannebrownless@comcast.net; Erik Sayler; Katherine Fleming; ljacobs50@comcast.net; george@cavros-law.com; sclark@radeylaw.com; cbrowder@ouc.com; jmcwhirter@mac-law.com; vkaufman@asglegal.com; Jessica.Cano@fpl.com; cguyton@ssd.com; milta@jea.com; paul.lewisjr@pgnmail.com; Regdept@tecoenergy.com; sdriteno@southernco.com; Susac, Jeremy; Vickers, Robert
Subject: Docket No. 080407-EG, 080408-EG, 080409-EG, 080410-EG, 080411-EG, 080412-EG, 080413-EG

a. **The full name, address, telephone number, and e-mail address of the person responsible for the electronic filing:**

Jeremy L. Susac
 Executive Director
 Governor Crist's Energy Office
 Florida Energy & Climate Commission
 600 South Calhoun St., Suite 251
 Tallahassee, FL 32399-0001
jeremy.susac@eog.myflorida.com
 850-487-3800 (phone)
 850-922-9701 (fax)

b. **The docket number and title if filed in an existing docket:**

This filing is made in regard to the Florida Energy & Climate Commission review of numeric

8/28/2009

conservation goals for:

Florida Power & Light (Docket No. 080407-EG)
Progress Energy Florida, Inc. (Docket No. 080408-EG)
Tampa Electric Company (Docket No. 080409-EG)
Gulf Power Company (Docket No. 080410-EG)
Florida Public Utilities Company (Docket No. 080411-EG)
Orlando Utilities Commission (Docket No. 080412-EG)
JEA (Docket No. 080413-EG)

c. The name of the party on whose behalf the document is filed:

The document is filed on behalf of Florida Energy & Climate Commission

d. The total number of pages in each attached document:

18 pages

e. A brief but complete description of each attached document:

The attached document is Florida Energy & Climate Commission's post-hearing brief

Regards,
Brittany Cummins
Governor's Energy Office
Office of Governor Charlie Crist
600 S. Calhoun St., Suite 251
Tallahassee, FL 32399-0001
850-922-4917
www.myfloridaclimate.com

Office of Commission Clerk Official Filing

Ruth Nettles

080407

From: Filings@psc.state.fl.us
Sent: Monday, June 22, 2009 9:27 AM
To: 'george@cavros-law.com'
Cc: Ruth Nettles; Dorothy Menasco; Marguerite McLean; Kimberley Pena
Subject: FW: Notice of Service- 3rd pod and 2nd rog to FPL

Attachments: NRDC-SACE-2nd_ROG_FPL.pdf; NRDC-SACE_3rd-POD_FPL.pdf



NRDC-SACE-2nNRDC-SACE_3r
OG_FPL.pdf (4)OD_FPL.pdf (4z

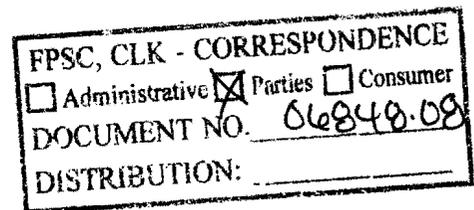
Dear Mr. Cavros:

We are in receipt of the attached documents. Please note that discovery should not be filed with the Office of the Commission Clerk. Those types of documents should be mailed or hand-delivered directly to the attorney in the docket. The only thing that should be filed with our office is the notice of service or a letter advising of service of the discovery. Your filing will need to be revised and resubmitted.

Thank you for your help in this matter.

Please feel free to call me if you have any questions.

Ruth Nettles
Office of Commission Clerk
850-413-6770



-----Original Message-----

From: george@cavros-law.com [mailto:george@cavros-law.com]
Sent: Monday, June 22, 2009 9:15 AM
To: Filings@psc.state.fl.us
Subject: Notice of Service- 3rd pod and 2nd rog to FPL

A.
George Cavros, Esq.
120 E. Oakland Park Blvd, Ste. 105
Fort Lauderdale, FL 33334
(954) 563-0074
(866) 924-2824 (fax)
george@cavros-law.com

B. Docket No. 080407-EG

C. Document filed on behalf of Natural Resources Defense Council and Southern Alliance for Clean Energy

D. Attached documents are the Notices for the 3rd Request for Production of Documents(14-22) and 2nd Interrogatories(24-48)to FPL.

E. The attached documents are 7 pages and 8 pages respectively.

Thank you,

George Cavros

George Cavros, Esq.
120 E. Oakland Park Blvd, Ste. 105

6/22/2009 9:28 AM

Office of Commission Clerk Official Filing

Fort Lauderdale, FL 33334
954.563.0074 (office)
954.295.5714 (cell)
866.924.2824 (fax number)

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Ruth Nettles

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>06848-08</u>		
DISTRIBUTION: _____		

080407

From: Filings@psc.state.fl.us
Sent: Friday, June 19, 2009 9:40 AM
To: 'ltenace@kagmlaw.com'
Cc: Dorothy Menasco; Ruth Nettles; Marguerite McLean
Subject: FW: Docket No. 080407-EG, 080408-EG, 080409-EG, 080410-EG, 080411-EG, 080412-EG, 080413-EG
Attachments: FIPUG Notice of 1st Set of ROGs to PEF, Gulf, FPL, TECO 06.18.09.pdf

Dear Ms. Tenace:

The attached e-filing appears to be a duplicate of an e-filing received from you at 4:09 p.m. yesterday. As such, the filing received at 6:01 p.m. will not be accepted as an official filing.

A link to the PSC e-filing requirements is being provided for your convenience:

<http://www.psc.state.fl.us/dockets/e-filings/>

Please call our office if you have any questions.

Ruth Nettles
Office of Commission Clerk
850-413-6770

From: Lynette Tenace [mailto:ltenace@kagmlaw.com]
Sent: Thursday, June 18, 2009 4:09 PM
To: Filings@psc.state.fl.us
Cc: john.burnett@pgnmail.com; jbeasley@ausley.com; srg@beggsllane.com; nhorton@lawfla.com; ryoung@yvlaw.net; garyp@hgss.com; wade_litchfield@fpl.com; suzannebrownless@comcast.net; Jeremy.Susac@eog.myflorida.com; Erik Sayler; Ljacobs50@comcast.net; george@cavros-law.com; sclark@radeylaw.com; cbrowder@ouc.com; jmcwhirter@mac-law.com
Subject: Docket No. 080407-EG, 080408-EG, 080409-EG, 080410-EG, 080411-EG, 080412-EG, 080413-EG

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

- a. The name, address, telephone number and email for the person responsible for the filing is:

Vicki Gordon Kaufman
Jon C. Moyle, Jr.
Keefe Anchors Gordon & Moyle
118 North Gadsden Street
Tallahassee, FL 32301
(850) 681-3828
vkaufman@kagmlaw.com
jmoyle@kagmlaw.com

- b. This filing is made In re: Commission review of numeric conservation goals for
Florida Power & Light (Docket No. 080407-EG)
Progress Energy Florida, Inc. (080408-EG)
Tampa Electric Company (080409-EG)
Gulf Power Company (080410-EG)
Florida Public Utilities Company (080411-EG)
Orlando Utilities Commission (080412-EG)

JEA (080413-EG)

- c. The document is filed on behalf of Florida Industrial Power Users Group.
- d. The total pages in the document are 4 pages.
- e. The attached document is FIPUG's Notice of Service First Set of Interrogatories to Progress Energy Florida, Gulf Power Company, Florida Power & Light Company, and Tampa Electric Company.

Lynette Tenace

NOTE: New E-Mail Address

ltenace@kagmlaw.com



Keefe, Anchors, Gordon and Moyle, P.A.

The Perkins House

118 N. Gadsden St.

Tallahassee, FL 32301

850-681-3828 (Voice)

850-681-8788 (Fax)

www.kagmlaw.com

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6/18/2009 4:46 PM

FPC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 06848-08		
DISTRIBUTION: 080407		

Ruth Nettles

From: Jim Beasley [jbeasley@ausley.com]
 Sent: Thursday, June 18, 2009 4:36 PM
 To: Filings@psc.state.fl.us
 Cc: Dorothy Menasco; Marguerite McLean; Ruth Nettles
 Subject: Re: FW: Notice of Service of NRDC-SACE 1st Set of Interrogatories in Docket No. 080407-080413

Ruth,

Actually, it doesn't need to be filed. I was simply sending an email response to "all recipients" of an email I had received and your office's email address was on the list. Please disregard.

Thanks!

Jim Beasley

>>> "Filings@psc.state.fl.us" <Filings@PSC.STATE.FL.US> 6/18/2009 4:27

>>> PM >>>

Dear Mr. Beasley:

We are in receipt of your filing below. However, this filing is not eligible for electronic filing. Please see e-filing requirements on the PSC webpage at: <http://www.psc.state.fl.us/dockets/e-filings/>

Specifically: E-Mail Transmitting an Electronically Filed Document.

The e-mail message transmitting the document(s) to be filed is not itself considered a filing. Therefore, documents contained within the text of an e-mail transmission will not be considered filed.

Your filing will need to be revised and resubmitted for official filing in Dockets 080407-080413.

Please feel free to call our office if you have any questions.

Sincerely,

Ruth Nettles
Office of Commission Clerk
850-413-6770

-----Original Message-----

From: Jim Beasley [mailto:jbeasley@ausley.com]
 Sent: Thursday, June 18, 2009 4:09 PM
 To: ljacobs50@comcast.net; Filings@psc.state.fl.us; Tim Richardson
 Cc: Steven Griffin; Myron Rollins; Suzanne Brownless; Brenda Buchan; Jeremy Susac; Carla Pettus; Jack Leon; Natalie Futch Smith; Wade_Litchfield; Jack English; Joe Eysie; Teala Milton; Richard J. Vento; Norman H. Horton; Charles Beck; J.R. Kelly; Byron Knibbs; C. Browder; Randy Halley; Alex Glenn; John T. Burnett; Paul Lewis; April Vicary; Katherine Fleming; Susan Clark; Susan Ritenour; Howard Bryant; Paula K. Brown
 Subject: Re: Notice of Service of NRDC-SACE 1st Set of Interrogatories in Docket No. 080407-080413

Leon,

I wanted to inform you of Tampa Electric's planned schedule for responding to NRDC's and SACE's First Set of Interrogatories (Nos. 1 -

6/18/2009 4:40 PM

Office of Commission Clerk Official Filing

23) to Tampa Electric Company. Although you emailed a notice of service at 10:21 p.m. on Friday, June 5, no one had notice of the interrogatories or an opportunity to begin work on responses until Monday, June 8. Indeed, the Commission's website reflects its receipt of the notice of filing on June 8. Accordingly, Tampa Electric plans on serving its responses to these interrogatories on Monday, June 29, 2009, consistent with the expedited time frame set forth in the Commission's Order Consolidating Dockets and Establishing Procedure. Please let me know if you have any questions concerning this schedule.

Jim Beasley

>>> <ljacobs50@comcast.net> 6/5/2009 10:18 PM >>>

Person Responsible for Filing:

E. Leon Jacobs, Jr.
Williams & Jacobs
1720 S. Gadsden St. MS 14
Tallahassee, Fl 32301

Documents Filed on Behalf of NRDC and SACE:

Notice of Service of First Set of Interrogatories

This document contains four (4) pages.

6/18/2009 4:30 PM

Office of Commission Clerk Official Filing

Ruth Nettles

From: Ruth Nettles
Sent: Thursday, June 18, 2009 4:30 PM
To: Katherine Fleming
Subject: FW: Notice of Service of NRDC-SACE 1st Set of Interrogatories in Docket No. 080407-080413

Hey, Katherine, I'm sorry I didn't copy on this email.

Ruth

-----Original Message-----

From: Filings@psc.state.fl.us
Sent: Thursday, June 18, 2009 4:28 PM
To: 'jbeasley@ausley.com'
Cc: Dorothy Menasco; Ruth Nettles; Marguerite McLean
Subject: FW: Notice of Service of NRDC-SACE 1st Set of Interrogatories in Docket No. 080407-080413

Dear Mr. Beasley:

We are in receipt of your filing below. However, this filing is not eligible for electronic filing. Please see e-filing requirements on the PSC webpage at: <http://www.psc.state.fl.us/dockets/e-filings/>

Specifically: E-Mail Transmitting an Electronically Filed Document.

The e-mail message transmitting the document(s) to be filed is not itself considered a filing. Therefore, documents contained within the text of an e-mail transmission will not be considered filed.

Your filing will need to be revised and resubmitted for official filing in Dockets 080407-080413.

Please feel free to call our office if you have any questions.

Sincerely,

Ruth Nettles
Office of Commission Clerk
850-413-6770

-----Original Message-----

From: Jim Beasley [mailto:jbeasley@ausley.com]
Sent: Thursday, June 18, 2009 4:09 PM
To: ljacobs50@comcast.net; Filings@psc.state.fl.us; Tim Richardson
Cc: Steven Griffin; Myron Rollins; Suzanne Brownless; Brenda Buchan; Jeremy Susac; Carla Pettus; Jack Leon; Natalie Futch Smith; Wade Litchfield; Jack English; Joe Eysie; Teala Milton; Richard J. Vento; Norman H. Horton; Charles Beck; J.R. Kelly; Byron Knibbs; C. Browder; Randy Halley; Alex Glenn; John T. Burnett; Paul Lewis; April Vicary; Katherine Fleming; Susan Clark; Susan Ritenour; Howard Bryant; Paula K. Brown
Subject: Re: Notice of Service of NRDC-SACE 1st Set of Interrogatories in Docket No. 080407-080413

Leon,

I wanted to inform you of Tampa Electric's planned schedule for responding to NRDC's and SACE's First Set of Interrogatories (Nos. 1 - 23) to Tampa Electric Company. Although you emailed a notice of service at 10:21 p.m. on Friday, June 5, no one had notice of the interrogatories or an opportunity to begin work on responses until Monday, June 8.

6/18/2009 4:30 PM

Office of Commission Clerk Official Filing

Indeed, the Commission's website reflects its receipt of the notice of filing on June 8. Accordingly, Tampa Electric plans on serving its responses to these interrogatories on Monday, June 29, 2009, consistent with the expedited time frame set forth in the Commission's Order Consolidating Dockets and Establishing Procedure. Please let me know if you have any questions concerning this schedule.

Jim Beasley

>>> <ljacobs50@comcast.net> 6/5/2009 10:18 PM >>>

Person Responsible for Filing:

E. Leon Jacobs, Jr.
Williams & Jacobs
1720 S. Gadsden St. MS 14
Tallahassee, Fl 32301

Documents Filed on Behalf of NRDC and SACE:

Notice of Service of First Set of Interrogatories

This document contains four (4) pages.

Dorothy Menasco

080407

From: Katherine Fleming
Sent: Tuesday, March 31, 2009 12:22 PM
To: Dorothy Menasco
Cc: Ann Cole; Ruth Nettles
Subject: RE: Parties of Record Updates

FPSC, CLK - CORRESPONDENCE
 ___Administrative___Parties___Consumer
 DOCUMENT NO. 016848-08
 DISTRIBUTION: _____

Thank you for taking care of this. I really appreciate it!

From: Dorothy Menasco
Sent: Tuesday, March 31, 2009 12:20 PM
To: Katherine Fleming
Cc: Ann Cole; Ruth Nettles
Subject: Parties of Record Updates

Katherine,

Per our telephone conversation earlier today, the Florida Solar Coalition and the Florida Energy and Climate Commission has been updated to reflect that they are official parties of record in Dockets 080407, 080408, 080409, 080410, 080411, 080412, and 080413. Order PSC-09-0062-PCO-EG granted intervention by FSC; Order PSC-09-0150-PCO-EG acknowledged intervention by FECC. Thank you for bringing that to our attention!

Dorothy Menasco
Chief Deputy Commission Clerk
Florida Public Service Commission
Office of Commission Clerk
dmenasco@psc.state.fl.us
 850-413-6243

Kimberley Pena 080407

From: Kimberley Pena
Sent: Wednesday, March 04, 2009 11:00 AM
To: Erik Saylor; 'suzannebrownless@comcast.net'
Subject: RE: new email for Suzanne Brownless -- Docket Nos. 080407-EG - 080413-EG

Per this e-mail, all referenced dockets have been updated with Ms. Brownless' new e-mail address.

Kimberley M. Peña
Chief Deputy Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

FPSC, CLK - CORRESPONDENCE
Administrative ~~X~~ Parties Consumer
DOCUMENT NO. 080407-08
DISTRIBUTION: _____

*Done
03/04/09
KMP*

From: Erik Saylor
Sent: Wednesday, March 04, 2009 10:54 AM
To: Kimberley Pena
Subject: FW: new email for Suzanne Brownless -- Docket Nos. 080407-EG - 080413-EG

Kim,
Suzanne Brownless said she was going to call and update her email address as it relates to these dockets. Thought I'd give you the heads up. Her new email is below.

suzannebrownless@comcast.net

cheers.

Erik

From: Erik Saylor
Sent: Wednesday, March 04, 2009 10:53 AM
To: Timolyn Henry
Cc: Katherine Fleming
Subject: new email for Suzanne Brownless -- Docket Nos. 080407-EG - 080413-EG

Tim,

Would you update her email address in the global list for these dockets and GCL contacts list. I don't know if updating one automatically updates the other. --)

suzannebrownless@comcast.net

Many thanks,

Erik

Kimberley Pena

From: Kimberley Pena
Sent: Tuesday, December 16, 2008 9:15 AM
To: 'Minimushomines@aol.com'
Subject: RE: Interested party listing for Docket 080407 - EG

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 06848-08		
DISTRIBUTION:		

Mr. Krasowski, per this e-mail, you have been added as an interested person in docket 080407. Please let me know if I can be of further help.

Kimberley M. Peña
Chief Deputy Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

*Done
12/16/08
Kmp*

From: Minimushomines@aol.com [mailto:Minimushomines@aol.com]
Sent: Monday, December 15, 2008 4:29 PM
To: Records Clerk
Subject: Interested party listing for Docket 080407 - EG

TO: Office of the Clerk,
Florida Public Service Commission.

From: Bob Krasowski.

Dear Clerk,

Please list me as an interested party for Docket 080407- EG, Commission review of numeric conservation goals.

Thank You,
Bob Krasowski
1086 Michigan Ave.
Naples, FL 34103
minimushomines@aol.com

Make your life easier with all your friends, email, and favorite sites in one place. [Try it now.](#)

State of Florida

PARTIES



RECEIVED-FPSC

AUG -5 PM 3:43

COMMISSION
CLERK

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: August 5, 2008
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Lorena A. Holley, Chief Advisor to Commissioner McMurrian *JAM*
RE: Communication Received in Docket No. 080407-EG – Commission Review of
Numeric Conservation Goals (Florida Power & Light)

This office has received the following e-mail and attached correspondence from Ms. Diane Dane on behalf of Mr. Armando J. Olivera regarding the above-noted docket.

The correspondence has not been viewed or considered in any way by Commissioner McMurrian. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as CEO 91-31-July 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of section 350.042, Florida Statutes. However, in such cases Commissioner McMurrian has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the docket file.

cc: Mike Cooke, General Counsel
Advisors to Commissioners

Attachment

DOCUMENT NUMBER-DATE

06848 AUG-5 8

FPSC-COMMISSION CLERK

Lorena Holley

From: Diane_Danek@fpl.com
Sent: Friday, August 01, 2008 3:29 PM
To: michael.sole@dep.state.fl.us
Cc: Mark Futrell; Roberta Bass; William C. Garner; Lorena Holley; Larry Harris; Bridget Grimsley
Subject: Florida Power & Light Company (FPL) Response to the Florida Climate Action Team Regarding Proposed Policy ESD-23 on Decoupling
Importance: High
Attachments: Decoupling 20080801150816227.pdf

On behalf of Mr. Armando J. Olivera.... (See attached file: Decoupling 20080801150816227.pdf)

To The Honorable Michael W. Sole, Secretary
Florida Department of Environmental Protection
Chair, Florida Governor's Action Team on Energy and Climate Change
Dear Secretary Sole:

Attached please find my response to the Florida Climate Action Team regarding proposed policy ESD-23 on decoupling.

Sincerely,

Armando J. Olivera
President and Chief Executive Officer
Florida Power & Light Company

8/5/2008



Armando J. Olivera
*President and
Chief Executive Officer*

August 1, 2008

The Honorable Michael W. Sole, Secretary
Florida Department of Environmental Protection
Chair, Florida Governor's Action Team on Energy and Climate Change
3900 Commonwealth Blvd., MS49
Tallahassee, Florida 32399

Subject: Florida Power & Light Company (FPL) Response to the Florida Climate Action Team
Regarding Proposed Policy ESD-23 on Decoupling

Dear Secretary Sole:

The concept of revenue decoupling is being touted in a number of jurisdictions as a means of encouraging higher levels of energy efficiency by utilities. Implicit in the proposals is the assumption that utilities are not doing all they can in this area, and that decoupling is the only and best means of achieving better results. While the motive is admirable, the underlying assumptions are not supportable.

It is simply not accurate to put all states and utilities together in one category and suggest that utilities are not investing in conservation. There are numerous successful energy efficiency initiatives around the country that have been successful without decoupling as a driver. As I will discuss later, the Florida regulatory climate has been extremely successful in furthering energy efficiency goals, and FPL in particular has achieved industry leading results in this area.

The policy being currently developed by the Florida Climate Action Team on decoupling (ESD-23) suggests that 1) there is an inherent incentive for utilities to minimize investments in energy efficiency, and 2) decoupling would result in more energy efficiency in Florida. On the surface, these assumptions may seem reasonable, but they are not based in fact or supported by research and simply cannot be accepted as a basis for implementation of decoupling, at least in the case of electric utilities. Moreover, the implementation of decoupling would seriously undermine the successful Florida system of electric utility regulation that has been painstakingly crafted over the last two decades.

While the current proposal (ESD-23) is short on details and specifics, in the following I discuss in more detail some of my concerns with this proposed policy.

ESD-23 suggests that there is an inherent incentive for Florida utilities to minimize investments in energy efficiency.

FPL Response

Contrary to the supposition that there is an inherent incentive for utilities to minimize investments in conservation, Florida's experience with energy efficiency reflects a history of outstanding support for these programs and initiatives. Florida's investor-owned utilities (IOUs) have actively promoted demand side management (DSM) and conservation programs in the state since the 1980s and have been leaders among utilities nationwide. FPL launched its first DSM and conservation programs in 1979, with industry-leading results:

- FPL is the No. 1 electric utility in the nation in terms of megawatt (MW) demand reduction from energy efficiency¹
- FPL is fourth in the nation in energy efficiency in terms of percent of peak demand reduction¹
- Overall, even though FPL serves only 3 percent of U.S. electric consumers, the company has achieved 13 percent of all U.S. energy efficiency and 6 percent of all load management²
- FPL currently offers 21 energy efficiency and demand response programs for both residential and commercial/industrial customers. Customer interest in our programs has been extremely positive, resulting in:
 - ✓ More than 2.3 million energy savings audits performed
 - ✓ More than 1 million high efficiency air conditioners installed
 - ✓ Nearly 750,000 customers on load control
 - ✓ More than 700,000 energy efficiency retrofits to homes and businesses
 - ✓ Over 400,000 air conditioning duct tests conducted and leaks repaired

As a result of these achievements, FPL has been able to avoid the need for 12 power plants since 1979, representing significant savings to our customers as well as reductions in greenhouse gas emissions in Florida.

Many states, on the other hand, are doing little in this regard. Generally speaking, states with relatively low cost but high carbon-content power are doing the least. Of 89 utilities with peak demands exceeding 3,000 MW, 46 offer no energy efficiency programs whatsoever. If all of these utilities achieved the same level of performance as FPL in energy efficiency and demand response, the U.S. could eliminate the need for 107,500 MW of generation and reduce 244,600,000 tons of CO₂ emissions annually.

Some people talk about energy efficiency as the "fifth fuel," after coal, natural gas, nuclear and renewables. At FPL, we regard energy efficiency as the "first fuel," and we are continuing to work to develop new programs that make sense for all of our customers. In addition, we are making a commitment to new technologies such as "smart meters" that will empower our customers by providing them choices. This smart meter technology will help customers manage their costs, provide important information about their usage and will open the door to new energy efficiency offerings in the future.

Clearly, Florida's electric utilities have not held back in their efforts to promote energy efficiency. Even if a company was inclined to try to minimize conservation efforts, it simply would not be possible under current regulatory and legislative requirements. Florida has an open and transparent regulatory approach that has proven to be highly effective. Florida statutes require the Florida Public Service Commission (FPSC) to ensure that utilities adopt energy efficiency and DSM goals and programs. In meeting its statutory responsibility to promote energy efficiency and DSM in Florida, the FPSC is required to evaluate the full potential of all available DSM and supply-side conservation and efficiency measures. FPL in turn proactively seeks to implement all known cost-effective energy efficiency and DSM programs and must demonstrate this to the FPSC. These energy efficiency / DSM goals are established every five years and approved by the FPSC, which has broad latitude to ensure that all Florida IOUs set and meet aggressive goals for conservation. As a result, while it may be appropriate to address the financial impact of energy efficiency and DSM programs on utilities and their customers, decoupling is not the answer.

EDS-23 suggests that decoupling by itself would result in more energy efficiency in Florida.

FPL Response

The concept of decoupling originated in the gas industry as a means of sustaining revenue levels in the face of falling sales. Since then it has been touted as a means of promoting conservation in the electric industry; however, there is no research or documented evidence that any reduction in electrical demand has been achieved due to decoupling. Such claims are suppositions at best. Claims have been made regarding the impact of decoupling in California on energy usage; however, one could argue that the high prices in California and a mild climate, along with increases in natural gas usage, have played the most significant role in controlling per capita electric usage.

In a 2007 presentation by a California utility executive, it was stated that “[d]ecoupling by itself doesn’t provide incentives that encourage utilities to support energy-efficiency; but it does remove financial disincentives for utilities so they can implement energy-efficiency initiatives.” The September 2007 National Association of Regulatory Utility Commissioners (NARUC) Report on Decoupling stated that “[w]hile it can remove disincentives for utilities to promote efficiency, decoupling is not designed to create an incentive for energy efficiency.” As discussed earlier, Florida has achieved tremendous results without the need for decoupling. Thus, there is no driving need to implement decoupling in our state.

The NARUC Report also correctly points out that “[w]hether decoupling will in itself result in increased efficiency is still the subject of debate.” The report goes on to identify other potential adverse consequences of decoupling, such as the transfer of weather and economic risk to customers and the administrative complexity of attempting to correct for these risks.

In fact, a significant problem with decoupling is that it deals not only with energy conservation revenues, but also with fluctuations in revenues due to weather and other factors. We believe that subjecting customers to revenue shortfalls due to weather and other factors is inappropriate and could place an undo burden on those same customers. Furthermore, because decoupling keeps a utility revenue neutral despite demand and weather fluctuations (and possibly other factors influencing utility revenues such as economic conditions), utilities will have a greatly reduced incentive for keeping costs as low as possible.

Also, decoupling does nothing to help address some significant obstacles that exist to achieving additional energy efficiency. These obstacles include consumers' desire to minimize upfront costs and provide for short paybacks, affordability issues for low income end-users, overall consumer awareness, and disconnects in incentives between owners and renters.

Finally, decoupling reverts back to a regulatory model that employs an ongoing system of frequent, highly administrative rate reviews focused on return on equity, which would detract from the ultimate objective of maximizing energy efficiency results. This an extremely inefficient system that adds cost to the prices ultimately paid by customers without the guarantee of any added benefits.

The existing Florida regulatory system has worked very well and can accommodate revisions to energy efficiency and conservation programs

As I stated previously, FPL and Florida's other electric IOUs have achieved tremendous results under the existing system of regulation, and we are not resting on our past accomplishments. At FPL, energy efficiency and demand response will meet fully 21 percent of FPL's future growth in capacity need through the year 2017. These results translate directly into significant savings to our customers, most directly in terms of rates that are lower than what they otherwise might have been without Florida's current regulatory approach. In addition, participating customers save on an individual level to the extent they participate in and take advantage of the many offerings available to them (such as the 2.3 million customers who have had energy audits conducted, or the 1 million customers who have installed high efficiency air conditioners).

Florida's constructive regulatory framework has created a set of win-win scenarios for our customers and shareholders. Up until the early 1990s, Florida's regulatory system was marked by frequent rate cases and a lack of incentives for utilities to control costs. This trend was reversed through a series of revenue sharing agreements based on sharing thresholds and caps, and has benefited customers and shareholders alike. Under the revenue sharing agreements that have been in effect since 1999, FPL customers have saved \$5.6 billion through reduced rates and revenue refunds - an average of \$560 million per year since 1999. This regulatory approach has also provided financial stability for FPL's investors who play a critical role in the funding of the Company's capital investment requirements. Most importantly, such a system also provides a strong incentive to the utility to manage costs effectively, further benefiting our customers. As a result of this constructive framework, FPL's 2007 operating and maintenance (O&M) cost per customer of \$323 is 44 percent below the 2006 national average of \$576, while service levels are in the top 25 percent. **Implementing decoupling at this time would have significant unintended consequences and would disrupt and threaten the successful Florida system of electric regulation.**

Finally, it should be noted that the Commission recently opened a docket to establish new conservation goals for the utilities. FPL formed a working group with the other utilities in Florida and selected environmental groups to work together on the first step of the DSM goal setting process - determining the technical potential for DSM. In addition to determining how much DSM can be done from a technical standpoint, the technical potential study finalizes which DSM measures should be evaluated, what their demand and energy impacts are, and what is the cost to implement them. These are the foundations for the subsequent steps in

determining first how much DSM is truly achievable for each utility and second the appropriate financial incentives for utilities to achieve these results. Over the next several months, this docket will provide the opportunity for the Commission to ensure that all appropriate measures will be addressed going forward. In the past this process has provided an extremely thorough and complete review, and it is safe to say that this newly opened docket, in conjunction with recently passed energy legislation, will meet the test of identifying the full potential of future energy efficiency opportunities, all without the need for decoupling.

Summary and Conclusions

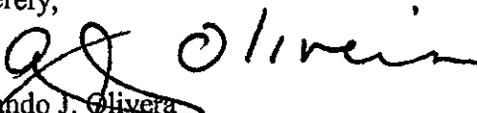
The current statutory framework in Florida, the active implementation and oversight by the FPSC, and the aggressive energy efficiency and DSM goals of Florida's utilities confirm that there is no compelling need for decoupling in Florida at this time. As I discussed above, there is no evidence that decoupling actually achieves the results being claimed or projected by its proponents. It is also clear that decoupling by itself does not provide any additional incentive to increase energy efficiency. Given the history of results in Florida, decoupling is not necessary to "remove disincentives."

The current regulatory approach has been demonstrated to work very well, and decoupling will not provide sufficient incentives for additional energy efficiency. In fact, as explained previously, we believe it could have serious unintended consequences that will undermine a highly successful regulatory process in Florida. We also clearly recognize that ever increasing fossil fuel prices and concerns about global warming may require additional energy efficiency and demand programs that don't meet today's financial tests. There are financial incentives and other approaches that we believe will work well. A number of mechanisms are currently in some stage of development or implementation in a number of states. Florida should study those and determine what is the best approach without negating the benefits of a regulatory system that has worked well for customers and shareholders.

It is difficult to imagine how FPL could have improved on its already outstanding and industry-leading results in conservation had decoupling been in place. Given those results and the uncertainty surrounding decoupling, it is simply not prudent to subject the residents of Florida - and the customers of FPL and other Florida-based electric utilities -- to an experiment that will certainly create customer confusion, will create additional administrative costs and bureaucracy, will seriously undermine a successful regulatory process, and most likely will unnecessarily adversely impact the price they pay for electricity.

Florida should continue its highly effective and comprehensive regulatory approval process for identifying energy efficiency and DSM goals and programs that can be accomplished without decoupling. In the long run, this will reinforce Florida's already strong commitment to such programs.

Sincerely,


Armando J. Olivera
President and Chief Executive Officer
Florida Power & Light Company

¹Based on US Department of Energy, Energy Information Agency Data for 2006, which is the most current information available

²Based on US Department of Energy, Energy Information Agency Data for 2006, which is the most current information available, and US Census data for population

Cc:

Roberta Bass, Chief Advisor to Commissioner Edgar
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Mark Futrell
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

William Garner, Chief Advisor to Chairman Carter
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Bridget Grimsley, Chief Advisor to Commissioner Skop
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Larry Harris, Chief Advisor to Commissioner Argenziano
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Lorena Holley, Chief Advisor to Commissioner McMurrian
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Ruth Nettles

From: Lorena Holley
Sent: Wednesday, August 06, 2008 9:02 AM
To: Ruth Nettles
Cc: Kay Posey
Subject: Re: Filing from yesterday for Docket 080407

Hi Ruth - I think in the correspondence side is fine. Thanks for checking.

From: Ruth Nettles
To: Lorena Holley
Sent: Wed Aug 06 08:56:02 2008
Subject: Filing from yesterday for Docket 080407

Good morning, Lorena.

I received your memo with attached FPL documents from Ms. Diane Dane, on behalf of Mr. Armando J. Olivera. Did you want the document to be entered in the record with its own document number and entered as a regular filing in CMS; or did you want this to be placed as a correspondence item under parties correspondence?

Thanks for your help with this.

Ruth Nettles