

080665

FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 080665

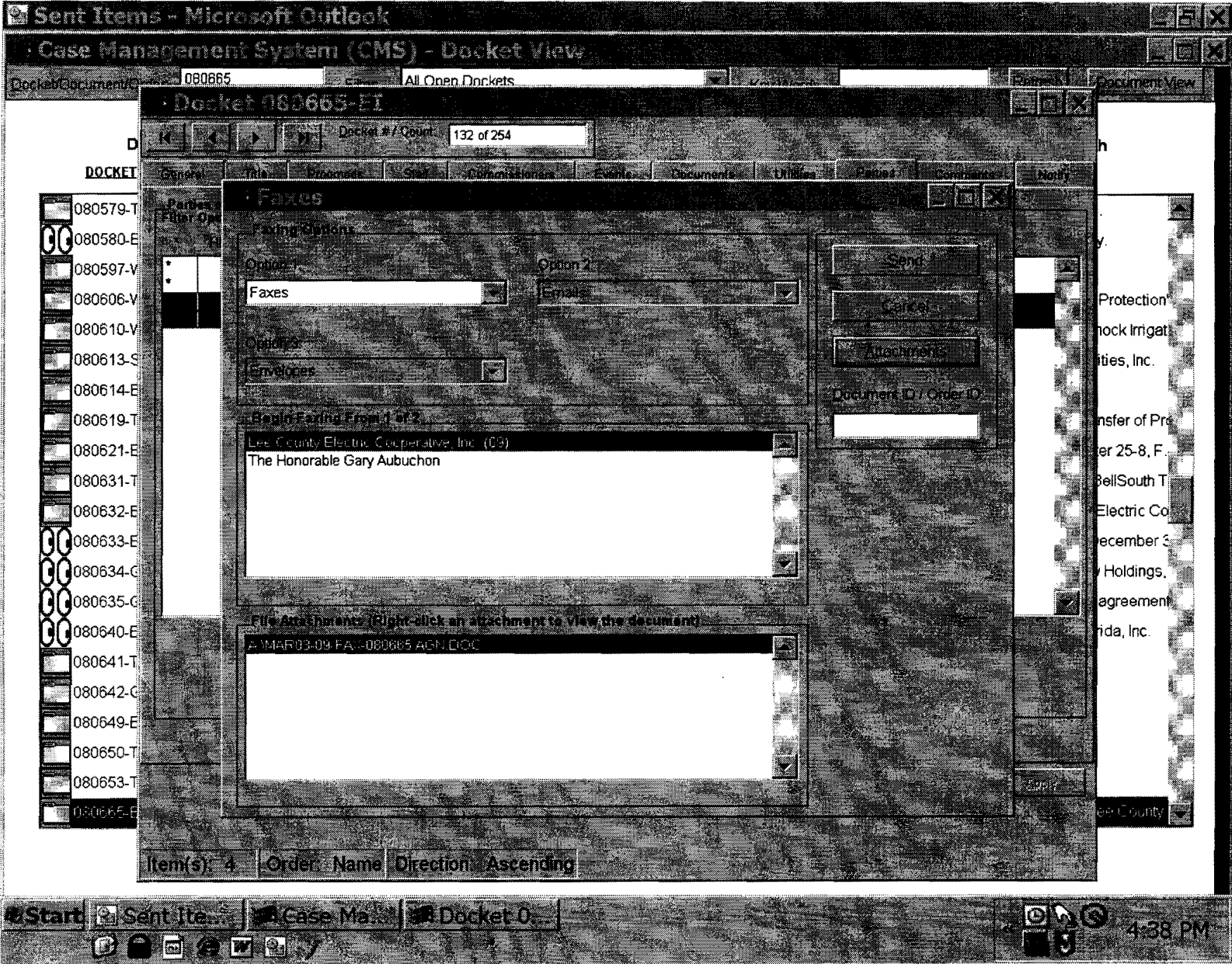
PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Florida Power & Light Company	E1802	wade_litchfield@fpl.com	No
Florida Power & Light Company (Juno08i)		wade_litchfield@fpl.com	No

Docket 080665

Material related to issuance of
Revised Agenda Notice for 03/03/09.

14mlp
02/20/09

EPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 10532-08
DISTRIBUTION: _____



FLORIDA PUBLIC SERVICE COMMISSION

REVISED

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, March 3, 2009, 9:30 a.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: February 21, 2009

NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (**) next to the agenda item number.

To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.

To obtain a copy of staff's recommendation for any item on this agenda, contact the Office of Commission Clerk at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

Video and audio versions of the conference are available and can be accessed live on the PSC Website on the day of the Conference. The audio version is available through archive storage for up to three months after the conference.

ITEM NO.

CASE

11**PAA

Docket No. 080665-EI – Petition of Florida Power & Light Company for approval of long-term agreement for full requirements electric service with Lee County Electric Cooperative.

Critical Date(s): None

Commissioners Assigned: All Commissioners
Prehearing Officer: Edgar

Staff: ECR: Kummer, Lee
GCL: Bennett
SGA: Graves

Issue 1: Should the Commission approve FPL's proposed regulatory treatment of the fuel costs and base rate benefits associated with the proposed Wholesale Power Agreement with Lee County Electric Cooperative?

Recommendation: Yes, if Staff's additional condition is included as part of the Order. Staff recommends the Commission approve the following changes to the regulatory treatment proposed by FPL: (1) shortening the initial term of the contract from 2033 to 2026, with the initial review by the Commission in 2021 and by the parties in 2022; (2) implementing a fixed per unit credit through the Capacity Cost Recovery Clause to recognize the base rate benefits of the change in the Separation Factor; and (3) providing for Commission review of the regulatory treatment of both fuel and base rate impacts during any need determination proceeding during the term of the Agreement.

Because of the discretionary nature of this Agreement, staff believes ratepayers should not be harmed. Therefore, staff recommends an additional condition: In the year the cumulative Net Present Value (NPV) becomes negative, the retail portion of the fuel adjustment shall be reduced by the annual shortfall. In any subsequent year that the cumulative NPV again becomes positive, FPL will be permitted to increase the fuel clause to the extent of the prior year's reduction, up to the level of the benefit.

Staff also recommends that the approved regulatory treatment continue only through 2026.

Issue 2: Should this docket be closed?

Recommendation: Yes. Upon Commission vote on Issue 1, if no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

Kimberley Pena 080665

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Partial	<input type="checkbox"/> Consumer
DOCUMENT NO. 10532-08		
DISTRIBUTION: _____		

From: Kimberley Pena
Sent: Thursday, November 20, 2008 3:01 PM
To: Robert Graves
Cc: Tom Ballinger; Tim Devlin; Marshall Willis; Connie Kummer; John Slemkewicz
Subject: RE: Docket No. 080665

Per this e-mail, we have made the change. Thank you.

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

From: Robert Graves
Sent: Thursday, November 20, 2008 2:53 PM
To: Kimberley Pena
Cc: Tom Ballinger
Subject: Docket No. 080665

Ms. Pena

Please note that ECR will be the OPR for Docket No. 080665.

Thank You
Robert Graves

11/20/2008

Administrative Parties Consumer

DOCUMENT NO. 10532-08

DISTRIBUTION: _____

Cathi Lindsley

From: Kimberley Pena
Sent: Thursday, November 13, 2008 10:35 AM
To: John Slemkewicz; Cathi Lindsley
Cc: Tom Ballinger; Robert Graves; Marshall Willis; Cheryl Bulecza-Banks; Connie Kummer
Subject: FW: DN 080665-EI

Done 11/12/08 CLK

John, per this email, we will update. Thank you for bringing this up to our attention.

Cathi, please make changes and place this e-mail under Administrative correspondence. Thanks.

From: John Slemkewicz
Sent: Wednesday, November 12, 2008 11:53 AM
To: Lee Fulcher
Cc: Tom Ballinger; Robert Graves; Marshall Willis; Cheryl Bulecza-Banks; Connie Kummer
Subject: DN 080665-EI

Please be advised that SGA should be the OPR Division for the following docket:

080665-EI, Petition of Florida Power & Light Company for approval of long-term agreement for full requirements electric service with Lee County Electric Cooperative.

John Slemkewicz
Public Utilities Supervisor
Surveillance Section
Division of Economic Regulation
Florida Public Service Commission
850-413-6420
850-413-6421 (FAX)

STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ADMINISTRATIVE

November 12, 2008

John Butler
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

Re: Docket No. 080665-EI

Dear Mr. Butler:

This will acknowledge receipt of the Petition of Florida Power & Light Company for approval of long-term agreement for full requirements electric service with Lee County Electric Cooperative, which was filed in this office on November 10, 2008, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Office of Commission Clerk

DOCUMENT NUMBER - DATE
10532 NOV 12 08
FPSC - COMMISSION CLERK

Section 1 - Office of Commission Clerk

Docket No. 080665-EI Date Docketed: 10/2008

Title: Petition of Florida Power & Light Company for approval of long-term agreement for full requirements electric service with Lee County Electric Cooperative.

Company: Florida Power & Light Company

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 10532-08
DISTRIBUTION:

Official Filing Date:

Expiration:

Last Day to Suspend:

Referred to:

(A)@ indicates OPR

Table with columns: ADM, CLK, ECR, GCL, PIF, RCP, (SGA), SSC. GCL and (SGA) have an 'X' in the box.

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(c)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION:(850) 413-6770

Staff Assignments

Due Dates

OPR Staff

0 Current CASR revision level

Previous Current

Staff Counsel

OCRs

Large table with 40 rows numbered 1-40 and 4 columns for tracking assignments and due dates.

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
Hearing Examiner Staff

Date filed with CLK:

Initials: OPR
Staff Counsel

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) with columns: Commissioners (ALL, CT, ED, MM, AG, SK), Hrg Exam, Staff.

Prehearing Officer

Table for Prehearing Officer with columns: Commissioners (CT, ED, MM, AG, SK), ADM.

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved:
Date:

Section 1 - Office of Commission Clerk

Docket No. 080665-EI Date Docketed: 11/10/2008 Title: Petition of Florida Power & Light Company for approval of long-term agreement for full requirements electric service with Lee County Electric Cooperative.

Company: Florida Power & Light Company

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to:

("C)" indicates OPR)

ADM	CLK	(ECR)	GCL	PIF	RCP	SGA	SSC
		X	X			X	

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(c)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	C Kummer, C Hinton	0	Due Dates			
			Previous	Current		
			1. *	Petition Filed	NONE	11/10/2008
			2.	Informal Conference	NONE	12/04/2008
			3.	Staff Recommendation	NONE	01/13/2009
			4.	Agenda	NONE	01/26/2009
			5.	PAA Order	NONE	02/13/2009
			6.	Consummating Order if No Protest	NONE	03/09/2009
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Staff Counsel	L Bennett		8.			
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OCRs (SGA)	R Graves		11.			
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Full Commission <input checked="" type="checkbox"/> Commission Panel <input type="checkbox"/>			33.			
Hearing Examiner <input type="checkbox"/> Staff <input type="checkbox"/>			34.			
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Date filed with CLK: <u>12/05/2008</u>			36.			
			37.			
Initials OPR _____			38.			
Staff Counsel _____			39.			
			40.			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
X							

Prehearing Officer

Commissioners					ADM
CT	ED	MM	AG	SK	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____
Date: 12/05/2008

Section 1 - Office of Commission Clerk

Docket No. 080665-EI Date Docketed: 11/10/2008 Title: Petition of Florida Power & Light Company for approval of long-term agreement for full requirements electric service with Lee County Electric Cooperative.

Company: Florida Power & Light Company

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to:

("O" indicates OPR)

ADM	CLK	(ECR)	GCL	PIF	RCP	SGA	SSC
		X	X			X	

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(c)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	C Kummer, C Hinton	1. Current CASR revision level	Due Dates	
			Previous	Current
		1. Informal Conference	SAME	12/04/2008
		2. Staff Recommendation	01/13/2009	01/29/2009
		3. Agenda	01/26/2009	02/10/2009
		4. PAA Order	02/13/2009	03/02/2009
		5. Consummating Order if No Protest	03/09/2009	03/26/2009
		6.		
		7.		
Staff Counsel	L Bennett	8.		
		9.		
OCRs (SGA)	R Graves	10.		
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel
Hearing Examiner Staff

Date filed with CLK: 01/06/2009

Initials OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
X							

Prehearing Officer

Commissioners					ADM
CT	ED	MM	AG	SK	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: CTH
Date: Pending 01/21/09

Section 1 - Office of Commission Clerk

Docket No. 080665-EI Date Docketed: 11/10/2008 Title: Petition of Florida Power & Light Company for approval of long-term agreement for full requirements electric service with Lee County Electric Cooperative.

Company: Florida Power & Light Company

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to:

("O") indicates OPR

ADM	CLK	(ECR)	GCL	PIF	RCP	SGA	SSC
		X	X			X	

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(c)

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FOR UPDATES CONTACT THE RECORDS SECTION:(850) 413-6770

Staff Assignments

OPR Staff

C Kummer, C Hinton
D Lee

Current CASR revision level

Due Dates
Previous Current

Staff Counsel

L Bennett

OCRs (SGA)

R Graves

1.	Staff Recommendation	SAME	02/19/2009
2.	Agenda	SAME	03/03/2009
3.	PAA Order	SAME	03/23/2009
4.	Protest Period Expires	SAME	04/13/2009
5.	Consummating Order if No Protest - Close Docke	SAME	04/16/2009
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Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
Hearing Examiner Staff

Date filed with CLK: 02/10/2009

Initials OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
X							

Prehearing Officer

Commissioners					ADM
CT	ED	MM	AG	SK	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: CT / MM
Date: 02/10/2009