# Hopping Green & Sams

Attorneys and Counselors

April 1, 2009

# **BY HAND-DELIVERY**

Ann Cole Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

Re: Docket No. 090007-EI

Dear Ms. Cole:

OPC

SSC

On behalf of Progress Energy Florida, Inc. (PEF), I enclose for filing in the above docket the original and fifteen (15) copies of the following:

- PEF's Petition for Approval of Final Environmental Cost Recovery True-up for the Period January 2008 to December 2008;
- Pre-filed Direct Testimony of Will Garrett and Exhibit Nos. \_\_ (WG-1) and (WG-2);
- Pre-filed Direct Testimony of Patricia Q. West and Exhibit No. \_\_ (PQW-1);
- Pre-filed Direct Testimony of Dale Wilterdink and Exhibit No. (DW-1);
  - Pre-filed Direct Testimony of Joseph McCallister;
- $\mathbb{RCP}$   $\rightarrow$  Pre-filed Direct Testimony of Corey Zeigler; and

SGA Also enclosed for filing are the original and seven copies of PEF's Request for ADM Confidential Classification for portions of Exhibit No. (PQW-1), along with a package clk containing two redacted copies of the exhibit and a separate envelope labeled "CONFIDENTIAL" containing one unredacted copy of the exhibit with the confidential "CONFIDENTIAL" containing one unredacted copy of the exhibit with the confidential "Confidential Classification in yellow.

> Finally, I also have included a diskette containing the petition, testimony, and Request for Confidential Classification in Microsoft Word Format, as well as copies of Exhibit Nos. (WG-1) and (WG-2) in Excel format. By copy of this letter, the enclosed documents have been furnished to the parties on the attached certificate of service.

80 PSC-COMMISSION OLER 6  $\infty$  $\sim$ 

Ms. Ann Cole April 1, 2009 Page 2

•

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning it to me. If you have any questions regarding this filing, please give one of us a call at 222-7500.

Very truly yours, V.K -----. in Gary V. Perko

Attorneys for PROGRESS ENERGY FLORIDA, INC.

cc: Certificate of Service

# Hopping Green & Sams

Attorneys and Counselors

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all counsel of record and interested parties as listed below by hand-delivery (\*) or regular U.S. mail this <u>1st</u> day of April, 2009.

Martha Carter Brown (\*) Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Lee L. Willis, Esq. James D. Beasley, Esq. Ausley Law Firm P.O. Box 391 Tallahassee, FL 32302

Joseph McGlothlin, Esq. Charlie Beck, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Rm. 812 Tallahassee, FL 32399

Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Law Firm P.O. Box 12950 Pensacola, FL 32591-2950

Florida Industrial Power Users Group John W. McWhirter, Jr. c/o McWhirter Law Firm P.O. Box 3350 Tampa, FL 33601-3350

Florida Power & Light Co. R. Wade Litchfield, Esq. John T. Butler, Esq. 700 Universe Blvd. Juno Beach, FL 33408-0420 Florida Power & Light Co. Mr. Wade Litchfield 215 S. Monroe Street, Suite 810 Tallahassee, FL 32301

Gulf Power Company Susan Ritenour One Energy Place Pensacola, FL 32520-0780

Tampa Electric Company Paula K. Brown Regulatory Affairs P.O. Box 111 Tampa, FL 33601-0111

R. Alexander Glenn
Deputy General Counsel - Florida
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, FL 33733

John T. Burnett Associate General Counsel - Florida Progress Energy Service Company, LLC P.O. Box 14042 St. Petersburg, FL 33733

Paul Lewis, Jr. Progress Energy Florida, Inc. 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740

Attorney/

### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Environmental Cost Recovery Clause

Docket No. 090007-EI

Filed: April 1, 2009

# PROGRESS ENERGY FLORIDA'S PETITION FOR APPROVAL OF ENVIRONMENTAL COST RECOVERY FINAL TRUE-UP FOR THE PERIOD JANUARY 2008 to DECEMBER 2008

Progress Energy Florida, Inc. ("PEF" or "the Company"), hereby petitions for approval of PEF's final end-of-the period Environmental Cost Recovery True-Up amount of an underrecovery of \$14,193,035, and an under-recovery of \$4,320,606 as the adjusted net true-up for the period January 2008 through December 2008. In support of this Petition, PEF states:

1. The actual End-of-Period ECRC true-up under-recovery of \$14,193,035 for the period January 2008 through December 2008 was calculated in accordance with the methodology set forth in Form 42-2A of Exhibit No. (WG-1) accompanying the testimony of PEF witness Will Garrett, which is being filed together with the Petition and incorporated herein.

2. In Order No. PSC-08-0775-FOF-EI, the Commission approved an under-recovery of \$9,872,429 as the estimated/actual ECRC true-up for the period January 2008 through December 2008.

3. As reflected on Form 42-1A of Exhibit No. \_\_\_ (WG-1) to Mr. Garrett's testimony, the adjusted net true-up for the period January 2008 through December 2008 is an under-recovery of \$4,320,606, which is the difference of the actual true-up under-recovery of \$14,193,035 and the estimated/actual true-up under-recovery of \$9,872,429.

DOCUMENT NUMBER-DATE 02868 APR-18 FPSC-COMMISSION CLERK WHEREFORE, Progress Energy Florida, Inc., respectfully requests that the Commission approve the Company's final end-of-the period Environmental Cost Recovery True-Up amount of an under-recovery of \$14,193,035, and an under-recovery of \$4,320,606 as the adjusted net true-up for the period January 2008 through December 2008.

RESPECTFULLY SUBMITTED this day of April, 2009.

B٦

R. Alexander Glenn John T. Burnett Post Office Box 14042 (33733) 299 First Avenue North (33701) St. Petersburg, FL 33701

Gary V. Perko Hopping Green & Sams, P.A. 123 South Calhoun Street P.O. Box 6526 (32314) Tallahassee, Florida 32301 gperko@hgslaw.com Tel.: (850) 222-7500 Fax: (850) 224-8551