

State of Florida



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

DATE: September 28, 2009
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Kay Posey, Executive Secretary to Commissioner McMurrian *KP*
RE: Communication Received in Docket No. 080677-EI (FPL Rate Increase)

This office has received the attached e-mail and letter from Mr. Thomas Saporito 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 e-mail and letter do 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 be placed in the record of the above-noted docket.

cc: Advisors to Commissioners

Attachment

DOCUMENT NUMBER-DATE

09995 SEP 29 08

FPSC-COMMISSION CLERK

Kay Posey

From: Thomas Saporito [support@renewableelectricsystems.com]
Sent: Sunday, September 27, 2009 4:05 PM
To: Filings@psc.state.fl.us
Cc: 'Wade Litchfield'; Anna Williams; 'Barry Richard'; 'Brian P. Armstrong, Esq.'; 'Cecilia Bardley'; 'D. Marcus Braswell, Jr., Esq.'; 'J.R. Kelly, Esq.'; Jean Hartman; 'Jennifer L. Spina, Esq.'; 'John T. Butler'; 'John T. LaVia, III, Esq.'; 'John W. McWhirter, Jr., Esq.'; 'Jon C. Moyle, Jr.'; 'Joseph A. McGlothlin, Esq.'; 'Kenneth L. Wiseman, Esq.'; Lisa Bennett; 'Lisa M. Purdy, Esq.'; 'Mark F. Sundback, Esq.'; Martha Brown; 'Mary F. Smallwood'; 'Robert A. Sugarman, Esq.'; 'Robert Scheffel Wright, Esq.'; 'Shayla L. McNeill'; 'Stephanie Alexander'; 'Tamela Ivey Perdue'; 'Vicki Gordon Kaufam'; Office of Commissioner Skop; Office of the Chairman; Office of Commissioner McMurrian; Office Of Commissioner Edgar; Office of Commissioner Argenziano
Subject: <<< NOTICE OF ELECTRONIC FILING IN FPL RATE CASE IN DOCKET NO. 080677-EI >>>
Attachments: 2009-09-27 Letter to Chairman Carter.pdf

Electronic Filing on this 27th day of September, 2009.

a. Person responsible for this electronic filing:

Thomas Saporito
Post Office Box 8413
Jupiter, Florida 33468-8413
Tel: 561-247-6404

b. Docket No. 080677-EI

In re: Petition for rate increase by Florida Power & Light Company in Docket No. 080677-EI.

c. Document being filed on behalf of Thomas Saporito.

d. There is a total of 1 page.

e. The document attached for electronic filing is *Response to September 25th, 2009, Letter From R. Wade Litchfield, Related to the FPL Rate Case in Docket No. 080677-EI*

Thank you for your attention and cooperation to this request.

Thomas Saporito, Executive Director
RenewableElectricSystems.com
Post Office Box 8413, Jupiter, Florida 33468-8413
Voice: 561-247-6404 Fax: 561-952-4810
Email: Support@RenewableElectricSystems.com
Web: <http://RenewableElectricSystems.com>

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9/28/2009

DOCUMENT NUMBER-DATE

09995 SEP 29 8

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Not-For-Profit Educational Organization

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The Hon. Matthew M. Carter, Chairman
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

In re: Response to September 25th, 2009, Letter From R. Wade Litchfield, Related to the FPL Rate Case in Docket No. 080677-EI

Dear Chairman Carter:

I am writing in response to the Florida Power and Light Company (FPL) letter dated September 25, 2009, authored by FPL attorney R. Wade Litchfield in the above-captioned matter. Mr. Litchfield states, in relevant part, that:

" . . . without rate relief FPL's 2010 return on equity is projected to decline to a grossly inadequate 4.69%. . .

Id. at 2. Hence, FPL's main thrust behind its request to increase its customers' base-rate for electric power by \$1.3-billion dollars is clearly to enrich FPL stockholders which is well-beyond the authority and jurisdiction of the Florida Public Service Commission (FPSC) in the instant action.

I remind the Commission that its decision in the above-captioned FPL rate-case must be based on FPL's proof through witness testimony and exhibits that its request for a \$1.3-billion dollar increase is reasonable and prudent in expending customer funds for the construction of two additional nuclear power plants and 16-billion dollars in build-out of associated infra-structure and high-voltage distribution systems and not simply because FPL wants to provide its stockholders and potential investors with a 12.5% rate of return (ROI).

Clearly, the Office of Public Counsel (OPC) has made a strong case why the Commission should reject and deny FPL's request to raise its customers' base-rate for electric power and instead Order FPL to lower its existing base-rate for electric power charged to its 4.5 million customers and to further require FPL to encourage its customers to lessen and conserve their use of electric power and thereby further eliminate FPL's need for additional electric power generation.

The undersigned wholly supports OPC's position and would further request that the Commission Order FPL to finance lease-to-own solar-voltaic electric generating systems for its 4.5 million customers. This action would guarantee that FPL's base-load electric demand would be significantly reduced and completely eliminate FPL's need to construct two additional nuclear power plants and 16-billion dollars in associated infra-structure including a new high-voltage overhead distribution system.

Respectfully submitted,

Thomas Saporito
Executive Director