

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 110001-EI
ORDER NO. PSC-11-0508-PHO-EI
ISSUED: October 28, 2011

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on October 20, 2011, in Tallahassee, Florida, before Commissioner Ronald A. Brisé, as Prehearing Officer.

APPEARANCES:

JOHN T. BUTLER and R. WADE LITCHFIELD, ESQUIRES, Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, Florida 33408
On behalf of Florida Power & Light Company (FPL).

JOHN T. BURNETT and R. ALEXANDER GLENN, ESQUIRES, Progress Energy Service Co., LLC, 299 First Avenue North, St. Petersburg, Florida 33701-3324
On behalf of Progress Energy Florida, Inc. (PEF).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South Monroe St., Suite 601, Tallahassee, Florida, 32301
On behalf of Florida Public Utilities Company (FPUC).

JEFFREY A. STONE, RUSSELL A. BADDERS, and STEVEN R. GRIFFIN, ESQUIRES, Beggs & Lane, Post Office Box 12950, Pensacola, Florida 32591-2950
On behalf of Gulf Power Company (GULF).

JAMES D. BEASLEY and J. JEFFRY WAHLEN, ESQUIRES, Ausley & McMullen, Post Office Box 391, Tallahassee, Florida 32302
On behalf of Tampa Electric Company (TECO).

PATRICIA A. CHRISTENSEN, JOSEPH A. MCGLOTHLIN, and CHARLES REHWINKEL, ESQUIRES, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400
On behalf of the Citizens of the State of Florida (OPC).

KAREN S. WHITE and CAPTAIN SAMUEL MILLER, ESQUIRES, USAF Utility Law Field Support Center, 139 Barnes Drive, Tyndall AFB, Florida 32403
On behalf of the Federal Executive Agencies (FEA).

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FPSC-COMMISSION CLERK

VICKI GORDON KAUFMAN and JON MOYLE, JR., ESQUIRES, Keefe, Anchors, Gordon & Moyle, PA, 118 North Gadsden Street, Tallahassee, Florida 32312

On behalf of the Florida Industrial Power Users Group (FIPUG).

ROBERT SCHEFFEL WRIGHT and JOHN T. LAVIA, III, ESQUIRES, Gardner Bist Wiener Wadsworth Bowden Bush Dee LaVia & Wright, P.A., 1300 Thomaswood Drive, Tallahassee, Florida 32308

On behalf of the Florida Retail Federation (FRF).

JAMES W. BREW and F. ALVIN TAYLOR, ESQUIRES, Brickfield, Burchette, Ritts & Stone, P.C., 1025 Thomas Jefferson St., NW, Eighth Floor, West Tower, Washington, DC 20007

On behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (PCS Phosphate).

LISA BENNETT, and MARTHA BARRERA, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, Deputy General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Advisor to the Florida Public Service Commission.

PREHEARING ORDER

I. CASE BACKGROUND

As part of the continuing fuel and purchased power adjustment and generating performance incentive clause proceedings, an administrative hearing will be held by the Public Service Commission on November 1, 2, and 3, 2011. The Commission will address those issues listed in this prehearing order. The Commission has the option to render a bench decision on any or all of the issues listed below.

II. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

III. JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes (F.S.). This hearing will be governed by said Chapter and Chapters 25-6, 25-22, and 28-106, F.A.C., as well as any other applicable provisions of law.

IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential

classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties (and staff) has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to five minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer. After all parties and staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness's direct testimony is adverse to its interests.

VI. ORDER OF WITNESSES

Each witness whose name is preceded by a plus sign (+) will present direct and rebuttal testimony together. Each witness whose name is preceded by an asterisk (*) will be excused from the hearing if no Commissioners have questions for them.

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
<u>Direct</u>		
*G. Yupp	FPL	2A, 2B, 2C, 8, 9, 10, 11, 18
*R.B. Deaton	FPL	2D

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
*T.J. Keith	FPL	6, 7, 8, 9, 10, 11, 18, 19, 20, 21,22, 24A, 24B, 24C, 27, 28, 29, 30, 31, 32, 33, 34
*G.F. ST. Pierre	FPL	8, 9, 10, 11, 18
*J. C. Bullock	FPL	16, 17
Will Garrett	PEF	8, 27
Marcia Olivier	PEF	1C, 6, 7, 9, 10, 11, 18, 19, 20, 21, 22, 23A, 28, 29, 30, 31, 32, 33, 34
Joseph McCallister	PEF	1A, 1B
Robert M. Oliver	PEF	16, 17
*Curtis D. Young	FPUC	3A, 8, 9, 10
Cheryl Martin	FPUC	3A, 3B, 11, 18, 19, 20, 21, 22, 34
*H. R. Ball	GULF	4A, 4B, 4C, 6, 7, 8, 9, 27, 28, 31
*R. W. Dodd	GULF	6, 7, 8, 9, 10, 11, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34
*M. A. Young	GULF	16, 17
*Carlos Aldazabal	TECO	6, 7, 8, 9, 10, 11, 18, 19, 20, 21, 22, 26A, 27-34
*Brian S. Buckley	TECO	15A, 16, 17, 18
*Benjamin F. Smith	TECO	5A, 5B, 18, 31
*Brent C. Caldwell	TECO	5A, 5B, 18
*Ronald A. Mavrides	STAFF	1A, 1B
*Kathy L. Welch	STAFF	2A, 2B
*Donna D. Brown	STAFF	4A, 4B
*Tomer Kopelovich	STAFF	5A, 5B

VII. BASIC POSITIONS

FPL: None necessary.

PEF: PEF's positions to specific issues are listed below.

FPUC: The Company has properly projected its costs. Likewise, the Company has calculated its true-up amounts and purchased power cost recovery factors appropriately. As such, the Company would ask that these amounts and factors be approved by the Commission.

GULF: It is the basic position of Gulf Power Company that the fuel and capacity cost recovery factors proposed by the Company present the best estimate of Gulf's fuel and capacity expense for the period January 2012 through December 2012 including the true-up calculations, GPIF and other adjustments allowed by the Commission.

TECO: The Commission should approve Tampa Electric's calculation of its fuel adjustment, capacity cost recovery and GPIF true-up and projection calculations, including the proposed fuel adjustment factor of 4.183 cents per kWh before any application of time of use multipliers for on-peak or off-peak usage; the company's proposed capacity factor for the period January through December 2012; a GPIF reward of \$2,054,696 for performance during 2010; approval of the company's proposed GPIF targets and ranges for 2012; and approval of the company's proposed re-establishment of its GPIF targets and ranges for 2011 based on the corrected revised testimony and exhibit filed on April 11, 2011 in this docket. Tampa Electric also requests approval of its calculated wholesale incentive benchmark of \$2,482,588 for calendar year 2012.

OPC: None

FEA: FEA agrees with FIPUG that Progress Energy Florida should not be permitted to recover any environmental costs related to the purchase of replacement power due to the extended outage at Crystal River 3. Expenses related to this outage will be decided in Docket No. 100437-EI.

FIPUG: PEF should not be permitted to collect any replacement power expenses related to the prolonged outage at CR3. When the Commission permitted the recovery of such costs last year, it was expected that CR3 would be back on line by this time. Now PEF predicts the unit, at the earliest, will come on line at the end of 2014. Ratepayers should not be on the hook for millions of dollars when the Commission has not yet decided if PEF's actions regarding CR3 were prudent. That determination will be made in Docket No. 100437-EI. No money should be collected from ratepayers related to CR3 until that docket is concluded.

FRF: All of the investor-owned electric utilities bear the burden of proving the reasonableness and prudence of their expenditures for which they seek recovery through their Fuel and Purchased Power Cost Recovery Charges.

As a matter of fairness to customers, and recognizing that Progress Energy Florida has not demonstrated the prudence of its actions relative to the CR3 steam generator replacement project and the delamination that resulted from PEF's cutting an additional opening in the CR3 containment building, the Commission should not allow PEF to collect from its customers any replacement power expenses related to the continuing outage at CR3. When the Commission permitted the recovery of such costs last year, that permission was largely based on Progress's representation that CR3 would be returned to serving customers by the end of March 2011. PEF now predicts that the unit will not come back on line until the end of 2014, if then. Ratepayers should not be required to pay hundreds of millions of dollars for replacement power costs resulting from Progress's actions, where PEF has the burden of proving that it is entitled to any recovery of such replacement power costs, and when the Commission has not yet decided if PEF's actions regarding CR3 were prudent. That determination will be made in Docket No. 100437-EI, and no money should be collected from ratepayers related to the extended CR3 outage (i.e., the outage period beyond that originally scheduled as part of the steam generator replacement project) until that docket is concluded.

PCS: The Commission should postpone recovery of any costs of replacement power due to the CR3 outage in excess of insurance reimbursements pending the resolution of Docket No. 100437-EI. In 2010, the Commission permitted recovery of such excess replacement fuel costs, subject to refund, largely on the strength of PEF's claim that Crystal River Unit 3 would return to service by the end of the first quarter of 2011. With the subsequent containment structure delamination caused by PEF's effort to repair the October 2009 delamination of the CR3 containment building, the expected return to service of the unit has been delayed to at least mid-2014. Also, pursuant to Order No. PSC-11-0352-PCO-EI, dated August 23, 2011, the Commission has established a schedule for resolving phase I of the CR3 prudence docket, Docket No. 100437-EI, and PEF filed its direct testimony in that matter on October 10, 2011. Given these circumstances, no further amounts associated with the CR3 outage should be recovered from ratepayers prior to a final Commission order in the prudence docket.

STAFF: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

VIII. ISSUES AND POSITIONS

ISSUE 1A: *Proposed Type B Stipulation, See Section X.*

ISSUE 1B: *Proposed Type B Stipulation, See Section X.*

ISSUE 1C: Should PEF be permitted to recover the costs of replacement power due to the extended outage at Crystal River 3 in this docket?

PEF: Yes. The Commission has already decided the issue of whether replacement fuel costs should be recovered. Specifically, in Order No. PSC-10-0734-FOF-EI issued in Docket No. 100001-EI, the Commission held that PEF shall be allowed to recover all replacement power costs due to the Crystal River 3 outage, subject to refund, prior to the determination of prudence of such costs in Docket No. 100437-EI. PEF has demonstrated the reasonableness of these fuel costs, consistent with the requirements set forth in Order PSC-10-0734-FOF-EI and thus should be permitted to recover these costs, subject to refund pending the determination in Docket No. 100437-EI.

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: No. PEF should not be permitted to recover any costs of replacement power due to the CR3 outage pending resolution of the issues in Docket No. 100437-EI.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: No position at this time.

Florida Power & Light Company

ISSUE 2A: *Proposed Type B Stipulation, See Section X.*

ISSUE 2B: *Proposed Type B Stipulation, See Section X.*

ISSUE 2C: *Proposed Type B Stipulation, See Section X.*

ISSUE 2D: *Proposed Type B Stipulation, See Section X.*

Florida Public Utilities Company

ISSUE 3A: *Proposed Type B Stipulation, See Section X.*

ISSUE 3B: Is FPUC's proposed method to allocate demand costs to the rate classes appropriate?

POSITIONS

FPUC: Yes. The methodology proposed by the Company more accurately reflects the demand usage of customers and thus, more appropriately allocates costs across each rate classification.

OPC: No position.

FEA: No position.

FIPUG: No position.

FRF: No position.

STAFF: No position at this time.

Gulf Power Company

ISSUE 4A: *Proposed Type B Stipulation, See Section X.*

ISSUE 4B: *Proposed Type B Stipulation, See Section X.*

ISSUE 4C: *Proposed Type B Stipulation, See Section X.*

Tampa Electric Company

ISSUE 5A: *Proposed Type B Stipulation, See Section X.*

ISSUE 5B: *Proposed Type B Stipulation, See Section X.*

GENERIC FUEL ADJUSTMENT ISSUES

ISSUE 6: *Proposed Type B Stipulation, See Section X.*

ISSUE 7: *Proposed Type B Stipulation, See Section X.*

ISSUE 8: What are the appropriate fuel adjustment true-up amounts for the period January 2010 through December 2010?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

FPUC: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$158,825,721 under-recovery.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate fuel adjustment true-up amounts for the period of January 2010 through December 2010 are:

PEF: No position at this time.

ISSUE 9: What are the appropriate fuel adjustment actual/estimated true-up amounts for the period January 2011 through December 2011?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

FPUC: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$35,666,520 over-recovery.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate fuel adjustment actual/estimated true-up amounts for the period January 2011 through December 2011 are:

PEF: No position at this time.

ISSUE 10: What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2012 to December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

FPUC: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$123,159,202 under-recovery.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: No. PEF should not be permitted to recover any costs of replacement power due to the CR3 outage pending resolution of the issues in Docket No. 100437-EI.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2012 to December 2012 are:

PEF: No position at this time.

ISSUE 11: What are the appropriate projected total fuel and purchased power cost recovery amounts for the period January 2012 through December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

FPUC: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$1,786,078,923.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate projected total fuel and purchased power cost recovery amounts for the period January 2012 through December 2012 are:

PEF: No position at this time.

COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

Progress Energy Florida, Inc.

No company-specific issues for Progress Energy Florida, Inc. have been identified at this time. If such issues are identified, they shall be numbered 12A, 12B, 12C, and so forth, as appropriate.

Florida Power & Light Company

No company-specific issues for Florida Power & Light Company have been identified at this time. If such issues are identified, they shall be numbered 13A, 13B, 13C, and so forth, as appropriate.

Gulf Power Company

No company-specific issues for Gulf Power Company have been identified at this time. If such issues are identified, they shall be numbered 14A, 14B, 14C, and so forth, as appropriate.

Tampa Electric Company

ISSUE 15A: *Proposed Type B Stipulation, See Section X.*

GENERIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

ISSUE 16: *Proposed Type B Stipulation, See Section X.*

ISSUE 17: *Proposed Type B Stipulation, See Section X.*

FUEL FACTOR CALCULATION ISSUES

ISSUE 18: What are the appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2012 through December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

FPUC: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$1,907,632,686.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2012 through December 2012 should be as follows:

PEF: No Position at this time.

ISSUE 19: *Proposed Type B Stipulation, See Section X.*

ISSUE 20: What are the appropriate levelized fuel cost recovery factors for the period January 2012 through December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

FPUC: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: 5.168 cents per kWh (adjusted for jurisdictional losses).

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate levelized fuel cost recovery factors for the period January 2012 through December 2012 are:

PEF: No position at this time.

ISSUE 21: *Proposed Type B Stipulation, See Section X.*

ISSUE 22: What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

FPUC: The appropriate levelized fuel adjustment and purchased power cost recovery factors for the period January 2012 through December 2012 for the Northwest Division, adjusted for line loss multipliers and including taxes, are as follows:

Northwest Division

Rate Schedule

Adjustment

RS	\$0.10073
GS	\$0.10227
GSD	\$0.10212
GSLD	\$0.10111
OL,O11	\$0.09981
SL1, SL2, and SL3	\$0.09918
Step rate for RS	
RS with less than 1,000 kWh/month	\$0.09713
RS with more than 1,000 kWh/month	\$0.10713

Consistent with the revised fuel projections for the 2012 period, the appropriate adjusted Time of Use (TOU) and Interruptible rates for the 2012 period are:

Time of Use/Interruptible

<i>Rate Schedule</i>	<i>Adjustment On Peak</i>	<i>Adjustment Off Peak</i>
RS	\$0.18113	\$0.05813
GS	\$0.14227	\$0.05227
GSD	\$0.14212	\$0.06962
GSLD	\$0.16111	\$0.07111
Interruptible	\$0.08611	\$0.10111

The appropriate levelized fuel adjustment and purchased power cost recovery factors for the period January 2012 through December 2012 for the Northeast Division, adjusted for line loss multipliers and including taxes, are as follows:

Northeast Division

Rate Schedule

Adjustment

RS	\$0.09267
GS	\$0.09217
GSD	\$0.09223
GSLD	\$0.09231
OL	\$0.09286
SL	\$0.09245
Step rate for RS	
RS with less than 1,000 kWh/month	\$0.08924
RS with more than 1,000 kWh/month	\$0.09924

GULF: *Proposed Type B Stipulation, See Section X.*

PEF:

Fuel Cost Factors (cents/kWh)						
Group	Delivery Voltage Level	First Tier Factor	Second Tier Factors	Levelized Factors	Time of Use	
					On-Peak	Off-Peak
A	Transmission	--	--	5.072	7.238	4.027
B	Distribution Primary	--	--	5.123	7.311	4.068
C	Distribution Secondary	4.860	5.860	5.175	7.385	4.109
D	Lighting	--	--	4.722	--	--

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal

River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses should be as follows:

FPUC: No position at this time.

PEF: No position at this time.

II. CAPACITY ISSUES

COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES

Progress Energy Florida, Inc.

ISSUE 23A: Has PEF included in the capacity cost recovery clause, the nuclear cost recovery amount ordered by the Commission in Docket No. 110009-EI?

POSITIONS

PEF: Based on the Commission's vote at the October 24, 2011 special agenda conference in Docket No. 110009-EI, the nuclear cost recovery amount to be recovered in PEF's 2012 capacity cost recovery clause factors is \$85,951,036 (before revenue taxes).

OPC: No position at this time.

FEA: No position.

FIPUG: No position.

FRF: No position.

PCS: No position.

STAFF: Based on the Commission's vote at the October 24, 2011 special agenda conference in Docket No. 110009-EI, the nuclear cost recovery amount to be recovered in PEF's 2012 capacity cost recovery clause factors is \$85,951,036.

Florida Power & Light Company

ISSUE 24A: *Proposed Type B Stipulation, See Section X.*

ISSUE 24B: *Proposed Type B Stipulation, See Section X.*

ISSUE 24C: *Proposed Type B Stipulation, See Section X.*

Gulf Power Company

No company-specific issues for Gulf Power Company have been identified at this time. If such issues are identified, they shall be numbered 25A, 25B, 25C, and so forth, as appropriate.

Tampa Electric Company

ISSUE 26A: *Proposed Type A Stipulation, See Section X.*

GENERIC CAPACITY COST RECOVERY FACTOR ISSUES

ISSUE 27: What are the appropriate capacity cost recovery true-up amounts for the period January 2010 through December 2010?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$14,684,019 over-recovery.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal

River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate capacity cost recovery true-up amounts for the period January 2010 through December 2010 are:

PEF: \$14,684,019 over-recovery.

ISSUE 28: What are the appropriate capacity cost recovery actual/estimated true-up amounts for the period January 2011 through December 2011?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$5,983,484 over-recovery.

TECO: *\$ Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate capacity cost recovery actual/estimated true-up amounts for the period January 2011 through December 2011 are:

PEF: \$ 5,983,484 over-recovery.

ISSUE 29: What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2012 through December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$20,667,503 over-recovery.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges

resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2012 through December 2012 are:

PEF: \$ 20,667,503 over-recovery.

ISSUE 30: What are the appropriate projected total capacity cost recovery amounts for the period January 2012 through December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$373,845,099.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate projected total capacity cost recovery amounts for the period January 2012 through December 2012 are:

PEF: \$ 373,845,099, excluding the amount under Issue 23A.

ISSUE 31: What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2012 through December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

PEF: \$439,444,805 consisting of \$353,431,884 of capacity payments and \$86,012,921 of nuclear costs (including revenue taxes) as approved by the Commission at the October 24, 2011 special agenda conference in docket No. 110009-EI.

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2012 through December 2012 are:

PEF: No position at this time.

ISSUE 32: *Proposed Type B Stipulation, See Section X.*

ISSUE 33: What are the appropriate capacity cost recovery factors for the period January 2012 through December 2012?

POSITIONS

FPL: *Proposed Type B Stipulation, See Section X.*

GULF: *Proposed Type B Stipulation, See Section X.*

<u>PEF:</u>	<u>Rate Class</u>	<u>CCR Factor</u>
	Residential	1.460 cents/kWh
	General Service Non-Demand	1.064 cents/kWh
	@ Primary Voltage	1.053 cents/kWh
	@ Transmission Voltage	1.043 cents/kWh
	General Service 100% Load Factor	0.767 cents/kWh
	General Service Demand	1.949 cents/kWh
	@ Primary Voltage	1.940 cents/kWh
	@ Transmission Voltage	1.930 cents/kWh
	Curtable	0.873 cents/kWh
	@ Primary Voltage	0.864 cents/kWh
	@ Transmission Voltage	0.856 cents/kWh
	Interruptible	0.765 cents/kWh
	@ Primary Voltage	0.757 cents/kWh
	@ Transmission Voltage	0.750 cents/kWh
	Lighting	0.223 cents/kWh

TECO: *Proposed Type B Stipulation, See Section X.*

OPC: Due the changed circumstances caused by the subsequent discovery of a delamination in Bay 5-6 on or about March 14, 2011, due to the recent announcement by the Company that there may be other further possible delaminations or structural problems in other areas of containment building, and due to the fact that CR3 will not come online at any time during 2012, PEF should not be permitted to recover any costs for capacity or energy, including any

capacity cost payments that would otherwise be recovered through the Capacity Cost Recovery Clause, that PEF incurred due to the extended outage at Crystal River 3 until after the conclusion of current pending prudence review in Docket No. 100437-EI.

FEA: Agree with OPC.

FIPUG: No. FIPUG is opposed to ratepayers being charged now for replacement power costs, capacity costs, environmental cost recovery costs or any other charges resulting from the continued extended outage of Crystal River 3 until prudence issues related to this outage are determined by the Commission.

FRF: Agree with OPC.

PCS: No. PEF's CR3 related replacement power costs should not be recovered in the 2012 fuel factor.

STAFF: The appropriate capacity cost recovery factors for the period January 2012 through December 2012 should be as follows:

PEF: No position at this time.

III. EFFECTIVE DATE

ISSUE 34: *Proposed Type B Stipulation, See Section X.*

IX. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>	<u>Description</u>
<u>Direct</u>		
G. Yupp	FPL	GJY-1 2010 Hedging Activity
G. Yupp	FPL	GJY-2 2012 Risk Management Plan
G. Yupp	FPL	GJY-3 Hedging Information Report
G. Yupp	FPL	GJY-4 Fuel Cost Recovery Forecast Assumptions
T.J. Keith	FPL	TJK-1 Fuel Cost Recovery Final True-Up for January 2010 through December 2010

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
T.J. Keith	FPL	TJK-2	Capacity Cost Recovery Final True-Up for January 2010 through December 2010
T.J. Keith	FPL	TJK-3	Fuel Actual/Estimated True-Up for January 2011 through December 2011
T.J. Keith	FPL	TJK-4	Capacity Actual/Estimated True-Up for January 2011 through December 2011
T.J. Keith G. Yupp G.F. ST. Pierre	FPL	TJK-5	Levelized Fuel Cost Recovery Factors for January 2012 through December 2012 including Time-of-Use Factors based on Seasonally Differentiated Marginal Fuel Costs
T.J. Keith	FPL	TJK-6	Levelized Fuel Cost Recovery Factors for January 2012 through December 2012 including Time-of-Use Factors based on Marginal Fuel Costs
T.J. Keith	FPL	TJK-7	Levelized Fuel Cost Recovery Factors for January 2012 through December 2012 including Time-of-Use Factors based on Average Total System Fuel Cost
T.J. Keith	FPL	TJK-8	Capacity Cost Recovery Factors for January 2012 through December 2012
T.J. Keith	FPL	TJK-9	West County Energy Center Unit 3 Revenue Requirement - 2012
T.J. Keith	FPL	TJK-10	Revised Capacity Schedule

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
J. C. Bullock	FPL	CP-1	Generating Performance Incentive Factor Performance Results for January 2010 through December 2010
J. C. Bullock	FPL	JCB-1	Generating Performance Incentive Factor Targets/Ranges for January 2012 through December 2012
W. Garrett	PEF	WG-1T	Fuel Cost Recovery True-Up (Jan – Dec. 2010)
W. Garrett	PEF	WG-2T	Capacity Cost Recovery True-Up (Jan – Dec. 2010)
W. Garrett	PEF	WG-3T	Schedules A1 through A3, A6 and A12 for Dec 2010
M. Olivier	PEF	MO-1	Actual/Estimated true-up Schedules for period January – December 2011
M. Olivier	PEF	MO-2	Projection factors for January to December 2012 (Revised) ¹
J. McCallister	PEF	JM-1T	Summarized Hedging Information (2002 – 2010)
J. McCallister	PEF	JM-1P	2012 Risk Management Plan
J. McCallister	PEF	JM-2P	Hedging Report (January – July 2011)
R. M. Oliver	PEF	RMO-1T	GPIF Reward/Penalty Schedules for 2010
R. M. Oliver	PEF	RMO-1P	GPIF Targets/Ranges Schedules (for Jan – Dec. 2012)
C. D. Young	FPUC	CDY-1 (Composite)	Final True Up Schedules (Schedules F-1 and M-1 for FPUC's Divisions)(Revised) ²

¹ Revised October 26, 2011

² Revised May 18, 2011.

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
C. D. Young	FPUC	CDY-2 (Composite)	Estimated/Actual (Schedules El-A, El-B, and El-B1 for the Northwest Division and El-A, El-B, and El-B1 for the Northeast Division)(Revised) ³
C. Martin	FPUC	CMM-1 (Composite)	Schedules El, EIA, E2, E7, and E10 for the Northwest Division and El, EIA, E2, E7, E8, and E10 for the Northeast Division
H. R. Ball	GULF	HRB-1	Coal Suppliers, Natural Gas Price Variance, Hedging Effectiveness, and Hedging Transactions August 2010 - December 2010
H. R. Ball	GULF	HRB-2	Projected vs. Actual Fuel Cost of Net Generation December 2001 - December 2010
H. R. Ball	GULF	HRB-3	Hedging Information Report January 2011 - July 2011
H. R. Ball	GULF	HRB-4	Risk Management Plan for Fuel Procurement for 2012
R. W. Dodd	GULF	RWD-1	Calculation of Final True-Up and A-Schedules January 2010 - December 2010
R. W. Dodd	GULF	RWD-2	Estimated True-Up January 2011 - December 2011
R. W. Dodd	GULF	RWD-3	Projection January 2012 - December 2012
R. W. Dodd	GULF	RWD-4	Revised CCE-4 January 2011 - December 2011
M. A. Young	GULF	MAY-1	Gulf Power Company GPIF Results January 2010 - December 2010

³ Revised September 8, 2011.

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
M. A. Young	GULF	MAY-2	Gulf Power Company GPIF Targets and Ranges January 2012 - December 2012
C. Aldazabal	TECO	CA-1	Fuel Cost Recovery January 2010 - December 2010
C. Aldazabal	TECO	CA-1	Capacity Cost Recovery January 2010 - December 2010
C. Aldazabal	TECO	CA-2	Actual/Estimated True-Up Fuel Cost Recovery January 2011 - December 2011
C. Aldazabal	TECO	CA-2	Actual/Estimated True-Up Capacity Cost Recovery January 2012 - December 2012
C. Aldazabal	TECO	CA-3	Projected Fuel Cost Recovery January 2012 - December 2012
C. Aldazabal	TECO	CA-3	Projected Capacity Cost Recovery January 2012 - December 2012
C. Aldazabal	TECO	CA-3	Levelized and Tiered Fuel Rate January 2012 - December 2012
B. Buckley	TECO	BSB-1	Generating Performance Incentive Factor January 2010 - December 2010
B. Buckley	TECO	BSB-2	Generating Performance Incentive Factor January 2011 - December 2011 (Revised)
B. Buckley	TECO	BSB-3	Generating Performance Incentive Factor January 2012 - December 2012
J. Caldwell	TECO	JBC-1	2010 Fuel Procurement Risk Management Report
J. Caldwell	TECO	JBC-2	Fuel Procurement and Wholesale Power Purchase Risk Management Plan 2012

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
J. Caldwell	TECO	JBC-3	Hedging Activities for Natural Gas for Seven Month Period January through July 2011
R. Mavrides	STAFF	RAM-1	Audit Report - PEF Hedging Activities, 12 Months ended July 31, 2011
K. Welch	STAFF	KLW-1	History of Testimony, Kathy L. Welch
K. Welch	STAFF	KLW-2	Audit Report - FPL Hedging Activities, 12 Months ended July 31, 2011
D. Brown	STAFF	DDB-1	Audit Report - Gulf Hedging Activities, 12 Months ended July 31, 2011
T. Kopelovich	STAFF	TK-1	Audit Report - TECO Hedging Activities, 12 Months ended July 31, 2011

Parties and staff reserve the right to identify additional exhibits for the purpose of cross-examination.

X. PROPOSED STIPULATIONS

As referenced in Section VIII, above, the parties have reached Type A, or Type B stipulations on the issues described below. *Type A Stipulation* reflects an agreement between all the parties on an issue; and *Type B Stipulation* reflects an agreement between the investor-owned utility and staff with all other parties taking no position on the issue.

I. FUEL ISSUES

COMPANY-SPECIFIC FUEL COST RECOVERY ISSUES

Progress Energy Florida, Inc.

ISSUE 1A: Should the Commission approve as prudent, PEF's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in PEF's April 2011 and August 2011 hedging reports?

**Type B Stipulation.*

Stipulation: *Yes. PEF's actions to mitigate the price volatility of natural gas, residual oil and purchased power prices were reasonable and prudent.*

ISSUE 1B: Should the Commission approve PEF's 2012 Risk Management Plan?

****Type B Stipulation***

Stipulation: *Yes. PEF's 2012 Risk Management Plan is consistent with the Hedging Guidelines.*

Florida Power & Light Company

ISSUE 2A: Should the Commission approve as prudent, FPL's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in FPL's April 2011 and August 2011 hedging reports?

****Type B Stipulation***

Stipulation: *Yes. FPL's actions to mitigate the price volatility of natural gas, residual oil and purchased power prices were reasonable and prudent.*

ISSUE 2B: Should the Commission approve FPL's 2012 Risk Management Plan?

****Type B Stipulation***

Stipulation: *Yes. FPL's 2012 Risk Management Plan is consistent with the Hedging Guidelines.*

ISSUE 2C: What are the appropriate projected jurisdictional fuel savings associated with West County Energy Center Unit 3 (WCEC-3) for the period January 2012 through December 2012?

****Type B Stipulation***

Stipulation: *\$186,895,413. Pursuant to the Stipulation and Settlement Agreement approved by the Commission is Docket No. 080677-EI on December 14, 2010, FPL has provided the projected 2012 jurisdictional fuel to compare with the projected WCEC3 revenue requirements.*

ISSUE 2D: Should the Commission approve FPL's Time of Use Rates for the period January 2012 through December 2012 that are calculated based on seasonally differentiated marginal fuel costs?

****Type B Stipulation***

Stipulation: *Yes. FPL's time-of-use fuel factors based on seasonally differentiated marginal fuel costs should be approved for 2012.*

Florida Public Utilities Company

ISSUE 3A: Is it appropriate for FPUC to include unbilled fuel revenues in its fuel factor calculations for the Northwest and Northeast Divisions?

****Type B Stipulation***

Stipulation: *Yes. It is appropriate for FPUC to include unbilled fuel revenues in its fuel factor calculations for the Northwest and Northeast Divisions.*

Gulf Power Company

ISSUE 4A: Should the Commission approve as prudent, Gulf's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in Gulf's April 2011 and August 2011 hedging reports?

****Type B Stipulation***

Stipulation: *Yes. Gulf's actions to mitigate the price volatility of natural gas, residual oil and purchased power prices were reasonable and prudent.*

ISSUE 4B: Should the Commission approve Gulf's 2012 Risk Management Plan?

****Type B Stipulation***

Stipulation: *Yes. Gulf's 2012 Risk Management Plan is consistent with the Hedging Guidelines.*

ISSUE 4C: Was Gulf Power Company prudent in commencing and continuing litigation against Coalsales II, LLC for breach of contract?

****Type B Stipulation***

Stipulation: *Yes. Commission staff has conducted continuing discovery and an audit regarding the litigation between Gulf Power Company Coalsales II, LLC for a breach of contract for coal sales. Commission staff believes it is prudent for a utility to commence and continue litigation for breach of contract to the benefit of ratepayers. Accordingly, staff recommends that it is appropriate to include the costs of litigation in the fuel and purchased power cost recovery clause. Those costs are as shown in Table 4-C below:*

Summary of Litigation Costs			
<u>Year</u>	<u>Outside Legal Fees (\$)</u>	<u>Administrative Costs (\$)</u>	<u>Total (\$)</u>
2005	0.00	0.00	0.00
2006	89,906.47	2,746.31	92,652.78
2007	64,506.92	67.35	64,574.27
2008	356,264.64	5,139.12	361,403.76
2009	286,753.44	0.00	286,753.44
2010	395,806.46	0.00	395,806.46
2011	(9,191.73)	0.00	(9,191.73)
Estimated 2012	100,000.00	0.00	100,000.00

Table 4-C

Tampa Electric Company

ISSUE 5A: Should the Commission approve as prudent, TECO's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in TECO's April 2011 and August 2011 hedging reports?

****Type B Stipulation***

Stipulation: *Yes. TECO's actions to mitigate the price volatility of natural gas, residual oil and purchased power prices were reasonable and prudent.*

ISSUE 5B: Should the Commission approve TECO's 2012 Risk Management Plan?

****Type B Stipulation***

Stipulation: *Yes. TECO's 2012 Risk Management Plan is consistent with the Hedging Guidelines.*

GENERIC FUEL ADJUSTMENT ISSUES

ISSUE 6: What are the appropriate actual benchmark levels for calendar year 2011 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

****Type B Stipulation***

Stipulation: *The appropriate actual benchmark levels for calendar year 2011 for gains on non-separated wholesale energy sales eligible for a shareholder incentive should be as follows:*

*FPL: \$10,707,967
Gulf: \$1,004,362
PEF: \$1,138,637
TECO: \$2,719,531*

ISSUE 7: What are the appropriate estimated benchmark levels for calendar year 2012 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

****Type B Stipulation***

Stipulation: *The appropriate estimated benchmark levels for calendar year 2012 for gains on non-separated wholesale energy sales eligible for a shareholder incentive should be as follows:*

*FPL: \$6,763,028
Gulf: \$868,270
PEF: \$905,703
TECO: \$2,482,588*

ISSUE 8: What are the appropriate fuel adjustment true-up amounts for the period January 2010 through December 2010?

****Type B Stipulation***

Stipulation: *The appropriate fuel adjustment true-up amounts for the period of January 2010 through December 2010 are:*

*FPL: \$45,498,494 under-recovery.
FPUC Northwest Division: \$885,786 over-recovery.
FPUC Northeast Division: \$856,166 over-recovery.
Gulf: \$3,609,728 under-recovery.
TECO: \$5,086,991 over-recovery.*

ISSUE 9: What are the appropriate fuel adjustment actual/estimated true-up amounts for the period January 2011 through December 2011?

****Type B Stipulation***

Stipulation: *The appropriate fuel adjustment actual/estimated true-up amounts for the period January 2011 through December 2011 are:*

*FPL: \$109,641,629 under-recovery.
FPUC Northwest Division: \$682,002 over-recovery
FPUC Northeast Division: \$2,292,856 over-recovery
Gulf: \$8,441,457 under-recovery.
TECO: \$42,726,419 over-recovery.*

ISSUE 10: What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2012 to December 2012?

****Type B Stipulation***

Stipulation: *The appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2012 to December 2012 are:*

*FPL: \$155,140,123 under-recovery.
FPUC Northwest Division: \$1,567,788 over-recovery
FPUC Northeast Division: \$3,149,022 over-recovery
Gulf: \$12,051,185 under-recovery.
TECO: \$47,813,410 over-recovery.*

ISSUE 11: What are the appropriate projected total fuel and purchased power cost recovery amounts for the period January 2012 through December 2012?

****Type B Stipulation***

Stipulation: *The appropriate projected total fuel and purchased power cost recovery amounts for the period January 2012 through December 2012 are:*

*FPL: \$4,068,064,280 excluding True-Up, Revenue Taxes, GPIF
FPUC Northwest Division: \$ 34,443,981 excluding True-Up, Revenue Taxes,
GPIF
FPUC Northeast Division: \$40,276,293 excluding True-Up, Revenue Taxes,
GPIF
GULF: \$568,620,732 excluding True-Up, Revenue Taxes, GPIF
TECO: \$841,805,228 excluding True-Up, Revenue Taxes, GPIF.*

COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

Tampa Electric Company

ISSUE 15A: Should Tampa Electric's GPIF targets and ranges for 2011 be re-established, based on the corrected revised testimony and exhibit of Tampa Electric's witness Brian Buckley filed in this docket on April 11, 2011?

****Type B Stipulation***

Stipulation: *Yes. Tampa Electric's GPIF targets and ranges for 2011 should be re-established, based on the corrected revised testimony and exhibit of Tampa Electric's witness Brian Buckley filed in this docket on April 11, 2011. The revised targets and ranges for 2011 are set forth in the table below:*

Revised 2011 GPIF Targets and Ranges for TECO						
EQUIVALENT AVAILABILITY						
Plant/ Unit	Weighting Factor (%)	EAF Target (%)	EAF Range		Max Fuel Savings (\$000)	Max Fuel Loss (\$000)
			Maximum (%)	Minimum (%)		
Big Bend 1	4.79%	67.9	73.5	56.8	1,359.3	(5,657.4)
Big Bend 2	6.23%	62.4	66.3	54.5	1,765.3	(1,487.8)
Big Bend 3	6.47%	83.5	85.8	78.9	1,833.9	(1,379.9)
Big Bend 4	8.25%	77.9	81.3	71.0	2,339.2	(2,354.1)
Polk 1	0.70%	88.6	90.0	85.9	198.2	(455.9)
Bayside 1	1.40%	78.2	79.4	75.9	397.4	(821.4)
Bayside 2	0.33%	94.4	95.0	93.3	93.8	(280.8)
GPIF System	28.17%					

AVERAGE NET OPERATING HEAT RATE							
Plant/ Unit	Weighting Factor (%)	ANOHR Target (BTU/ KWH)	NOF	ANOHR Range		Max Fuel Savings (\$000)	Max Fuel Loss (\$000)
				Minimum (BTU/ KWH)	Maximum (BTU/ KWH)		
Big Bend 1	13.09%	10,469	91.3	10,176	11,123	3,710.3	(3,710.3)
Big Bend 2	7.71%	10,379	91.2	10,025	10,733	2,469.7	(2,469.7)
Big Bend 3	10.13%	10,602	86.9	10,265	10,939	2,871.4	(2,871.4)
Big Bend 4	10.62%	10,599	90.8	10,286	10,911	3,012.5	(3,012.5)
Polk 1	16.31%	9,820	97.5	9,117	10,522	4,624.5	(4,624.5)
Bayside 1	5.15%	7,212	86.6	7,120	7,305	1,459.8	(1,459.8)
Bayside 2	7.82%	7,311	84.7	7,222	7,400	2,218.6	(2,218.6)
GPIF System 71.83%							

GENERIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

ISSUE 16: What is the appropriate generation performance incentive factor (GPIF) reward or penalty for performance achieved during the period January 2010 through December 2010 for each investor-owned electric utility subject to the GPIF?

****Type B Stipulation***

Stipulation: *The appropriate generation performance incentive factor (GPIF) reward or penalty for performance achieved during the period January 2010 through December 2010 for each investor-owned electric utility subject to the GPIF should be as follows:*

FPL: A reward in the amount of \$6,571,449.
Gulf: A reward in the amount of \$645,511.
PEF: A penalty in the amount of \$2,980,090.
TECO: A reward in the amount of \$2,054,696.

ISSUE 17: What should the GPIF targets/ranges be for the period January 2012 through December 2012 for each investor-owned electric utility subject to the GPIF?

****Type B Stipulation***

Positions: *The GPIF targets/ranges for the period January 2012 through December 2012 for each investor-owned electric utility subject to the GPIF should be as follows:*

FPL: The GPIF targets and ranges should be as shown in Table 17-1 below:

Gulf: The GPIF targets and ranges should be as shown in Table 17-2 below:

PEF: The GPIF targets and ranges should be as shown in Table 17-3 below:

TECO: The GPIF targets and ranges should be as shown in Table 17-4 below:

2012 GPIF Targets and Ranges for FPL		
Plant / Unit	EAF Target (%)	Heat Rate Target (BTU / KWH)
Ft. Myers 2	91.6	7,105
Martin 8	91.4	7,025
Manatee 3	93.9	6,930
Sanford 4	92.5	7,252
Scherer 4	72.5	9,948
St. Lucie 1	68.7	10,771
St. Lucie 2	60.1	10,724
Turkey Point 3	49.9	10,875
Turkey Point 4	78.0	11,263
Turkey Point 5	92.6	6,936

Table 17-1

2012 GPIF Targets and Ranges for Gulf				
Unit	EAF	POF	EUOF	Heat Rate
Crist 4	97.7	0.0	2.3	11,479
Crist 5	97.9	0.0	2.1	11,471
Crist 6	74.8	19.7	5.6	11,457
Crist 7	72.6	21.6	5.9	10,683
Smith 1	93.6	0.0	6.4	10,628
Smith 2	87.7	6.3	6.0	10,533
Daniel 1	84.1	10.1	5.8	10,703
Daniel 2	93.4	0.0	6.6	10,630

EAF = Equivalent Availability Factor (%)
 POF = Planned Outage factor (%)
 EUOF = Equivalent Unplanned Outage factor (%)

Table 17-2

2012 GPIF Targets and Ranges for PEF							
Plant/ Unit	Weighting Factor (%)	EAF Target (%)	EAF Range		Max Fuel Savings (\$000)	Max Fuel Loss (\$000)	
			Max (%)	Min (%)			
Bartow 4	9.63	81.81	85.95	73.42	7,684	(22,307)	
CR 4	9.38	90.50	94.92	81.71	7,483	(21,288)	
CR 5	5.54	85.12	87.62	80.06	4,419	(8,549)	
Hines 1	3.12	84.31	87.29	78.37	2,488	(5,132)	
Hines 2	2.93	86.26	88.74	81.17	2,335	(4,371)	
Hines 3	1.97	79.62	80.98	76.79	1,575	(2,748)	
Hines 4	2.60	82.61	84.69	78.32	2,076	(3,387)	
GPIF System 35.16					28,060	(67,782)	
Plant/ Unit	Weighting Factor (%)	ANOHR Target (BTU/ KWH)	NOF	ANOHR Range		Max Fuel Savings (\$000)	Max Fuel Loss (\$000)
				Minimum (BTU/ KWH)	Maximum (BTU/ KWH)		
Bartow 4	18.97	7,428	68.0	6,999	7,856	15,143	(15,143)
CR 4	12.29	9,947	83.5	9,334	10,560	9,808	(9,808)
CR 5	10.36	9,937	88.5	9,407	10,467	8,265	(8,265)
Hines 1	4.47	7,291	83.6	7,054	7,528	3,565	(3,565)
Hines 2	5.60	7,158	79.0	6,885	7,431	4,467	(4,467)
Hines 3	6.48	7,167	88.4	6,856	7,477	5,171	(5,171)
Hines 4	6.67	6,961	88.7	6,658	7,263	5,325	(5,325)
GPIF System 64.84						51,744	(51,744)

Table 17-3

2012 GPIF Targets and Ranges for TECO							
EQUIVALENT AVAILABILITY							
Plant/ Unit	Weighting Factor (%)	EAF Target (%)	EAF Range		Max Fuel Savings (\$000)	Max Fuel Loss (\$000)	
			Maximum (%)	Minimum (%)			
Big Bend 1	0.30%	81.9	84.6	76.3	89.3	(936.3)	
Big Bend 2	5.09%	76.2	80.1	68.4	1,512.2	(122.3)	
Big Bend 3	9.20%	80.0	83.0	73.9	2,734.4	(1,685.0)	
Big Bend 4	6.50%	77.4	80.9	70.3	1,932.3	(1,553.3)	
Polk 1	0.81%	85.5	86.8	83.0	241.1	(84.9)	
Bayside 1	1.35%	94.8	95.2	93.8	401.1	(1,665.7)	
Bayside 2	0.95%	80.0	81.4	77.1	280.9	(224.1)	
GPIF System		24.19%					
AVERAGE NET OPERATING HEAT RATE							
Plant/ Unit	Weighting Factor (%)	ANOHR Target (BTU/ KWH)	NOF	ANOHR Range		Max Fuel Savings (\$000)	Max Fuel Loss (\$000)
				Minimum (BTU/ KWH)	Maximum (BTU/ KWH)		
Big Bend 1	19.20%	10,468	92.9	9,836	11,101	5,705.6	(5,705.6)
Big Bend 2	12.41%	10,272	92.9	9,862	10,682	3,688.3	(3,688.3)
Big Bend 3	12.03%	10,614	86.1	10,209	11,018	3,576.1	(3,576.1)
Big Bend 4	11.77%	10,549	88.0	10,157	10,941	3,499.1	(3,499.1)
Polk 1	6.81%	10,220	94.2	9,915	10,525	2,023.9	(2,023.9)
Bayside 1	6.86%	7,248	82.6	7,120	7,377	2,040.2	(2,040.2)
Bayside 2	6.73%	7,316	83.2	7,189	7,442	1,998.9	(1,998.9)
GPIF System		75.81%					

Table 17-4

FUEL FACTOR CALCULATION ISSUES

ISSUE 18: What are the appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2012 through December 2012?

**Type B Stipulation*

Stipulation: *The appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2012 through December 2012 should be as follows:*

*FPL: \$4,232,816,559.
FPUC Northwest Division: \$34,443,981
FPUC Northeast Division: \$40,276,293
Gulf: \$581,735,512.
TECO: \$796,618,188.*

ISSUE 19: 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 2012 through December 2012?

****Type B Stipulation***

Stipulation: *The appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January 2012 through December 2012 is:*

*FPL: 1.00072
FPUC Northwest Division: 1.00072
FPUC Northeast Division: 1.00072
Gulf: 1.00072
PEF: 1.00072
TECO: 1.00072*

ISSUE 20: What are the appropriate levelized fuel cost recovery factors for the period January 2012 through December 2012?

****Type B Stipulation***

Stipulation: *The appropriate levelized fuel cost recovery factors for the period January 2012 through December 2012 are:*

*FPL: 4.131 cents/kWh.
FPUC Northwest Division: 6.544 cents/kWh.
FPUC Northeast Division: 5.961 cents/kWh.
Gulf: 4.943 cents/kWh.
TECO: 4.183 cents/kWh.*

ISSUE 21: 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?

****Type B Stipulation***

Stipulation: *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 should be as follows:*

FPL: *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 are shown in Tables 21-1 through 21-3 below:*

Gulf: *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 are shown in Table 21-4 below:*

PEF: *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 are shown in Table 21-5 below:*

TECO: *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 are shown in Table 21-6 below:*

Fuel Recovery Line Loss Multipliers for FPL		
FUEL RECOVERY FACTORS – BY RATE GROUP		
(Adjusted for Line / Transformation Losses)		
FOR THE PERIOD JANUARY 2012 – DECEMBER 2012		
GROUP	RATE SCHEDULE	FUEL RECOVERY LOSS MULTIPLIER
A	RS-1 first 1,000kWh	1.00233
	RS-1 all additional kWh	1.00233
A	GS-1, SL-2, GSCU-1, WIES-1	1.00233
A-1*	SL-1, OL-1, PL-1	1.00233
B	GSD-1	1.00225
C	GSLD-1 & CS-1	1.00107
D	GSLD-2, CS-2, OS-2, MET	0.98972
E	GSLD-3, CS-3	0.95828
* Weighted Average 16 % on-Peak and 84 % off-Peak		

Table 21-1

Fuel Recovery Line Loss Multipliers for FPL			
FPL - TIME OF USE FUEL RECOVERY FACTORS – BY RATE GROUP			
(Adjusted for Line / Transformation Losses)			
FOR THE PERIOD JANUARY 2012 – DECEMBER 2012			
GROUP	RATE SCHEDULE		FUEL RECOVERY LOSS MULTIPLIERS
A	RST-1, GST-1	On / Off Peak	1.00233
B	GSDT-1, CILC-1 (G), HLFT-1	On / Off Peak	1.00224
C	GSLDT-1, CST-1, HLFT-2	On / Off Peak	1.00110
D	GSLDT-2, CST-2, HLFT-3	On / Off Peak	0.99111
E	GSLDT-3, CST-3, CILC1(T), ISST-1(T)	On / Off Peak	0.95828
F	CILC- 1(D), ISST-1(D)	On / Off Peak	0.98992

Table 21-2

Fuel Recovery Line Loss Multipliers for FPL		
FPL - DETERMINATION OF SEASONAL DEMAND TIME OF USE RIDER (SDTR)		
FUEL RECOVERY FACTORS		
ON-PEAK: JUNE 2012 THROUGH SEPTEMBER 2012 –		
WEEKDAYS 3:00 PM TO 6:00 PM		
OFF-PEAK: ALL OTHER HOURS		
GROUP	OTHERWISE APPLICABLE RATE SCHEDULE	FUEL RECOVERY LOSS MULTIPLIERS
B	GSD(T)-1 On-Peak	1.00225
	GSD(T)-1 Off-Peak	1.00225
C	GSLD(T)-1 On-Peak	1.00114
	GSLD(T)-1 Off-Peak	1.00114
D	GSLD(T)-2 On-Peak	0.99154
	GSLD(T)-2 Off-Peak	0.99154

Table 21-3

Fuel Recovery Line Loss Multipliers for Gulf		
Group	Rate Schedules	Line Loss Multipliers
A	RS, RSVP, GS, GSD, GSDT, GSTOU, OSIII, SBS(1)	1.00525921
B	LP, LPT, SBS(2)	0.98890061
C	PX, PXT, RTP, SBS(3)	0.98062822
D	OS I / II	1.00529485
(1) Includes SBS customers with a contract demand in the range of 100 to 499 KW (2) Includes SBS customers with a contract demand in the range of 500 to 7,499 KW (3) Includes SBS customers with a contract demand over 7,499 KW.		

Table 21-4

Fuel Recovery Line Loss Multipliers for PEF		
Group	Delivery Voltage Level	Line Loss Multipliers
A	Transmission	0.9800
B	Distribution Primary	0.9900
C	Distribution Secondary	1.000
D	Lighting Service	1.000

Table 21-5

Fuel Recovery Line Loss Multipliers for TECO	
Metering Voltage Schedule	Line Loss Multiplier
Distribution Secondary	1.0000
Distribution Primary	0.9900
Transmission	0.9800
Lighting Service	1.0000

Table 21-6

ISSUE 22: What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

****Type B Stipulation***

Stipulation: *The appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses should be as follows:*

FPL: *The appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses are shown in Tables 22-1 through 22-4 below:*

Gulf: *The appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses are shown in Table 22-5 below:*

TECO: *The appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses are shown in Table 22-6 below:*

FPL - FUEL RECOVERY FACTORS – BY RATE GROUP (Adjusted for Line / Transformation Losses) FOR THE PERIOD JANUARY 2012 – DECEMBER 2012				
		JANUARY - DECEMBER		
GROUP	RATE SCHEDULE	AVERAGE FACTOR	FUEL RECOVERY LOSS MULTIPLIER	FUEL RECOVERY FACTOR
A	RS-1 first 1,000kWh	4.131	1.00233	3.796
	RS-1 all additional kWh	4.131	1.00233	4.796
A	GS-1, SL-2, GSCU-1, WIES-1	4.131	1.00233	4.141
A-1*	SL-1, OL-1, PL-1	3.966	1.00233	3.975
B	GSD-1	4.131	1.00225	4.140
C	GSLD-1 & CS-1	4.131	1.00107	4.135
D	GSLD-2, CS-2, OS-2, MET	4.131	0.98972	4.089
E	GSLD-3, CS-3	4.131	0.95828	3.959
* Weighted Average 16 % on-Peak and 84 % off-Peak				

Table 22-1

FPL - SEASONALLY DIFFERENTIATED TIME OF USE FUEL RECOVERY FACTORS – BY RATE GROUP (Adjusted for Line / Transformation Losses) FOR THE PERIOD JANUARY 2012 – DECEMBER 2012				
		JANUARY – MARCH and NOVEMBER - DECEMBER		
GROUP	RATE SCHEDULE	AVERAGE FACTOR	FUEL RECOVERY LOSS MULTIPLIER	FUEL RECOVERY FACTOR
A	RST-1, GST-1 On-Peak	4.974	1.00233	4.986
	RST-1, GST-1 Off-Peak	3.821	1.00233	3.830
B	GSDT-1, CILC-1 G On-Peak	4.974	1.00224	4.985
	HLFT-1 (21-499 kW) Off-Peak	3.821	1.00224	3.830
C	GSLDT-1, CST-1 On-Peak	4.974	1.00110	4.979
	HLFT-2 (500-1,999 kW) Off-Peak	3.821	1.00110	3.825
D	GSLDT-2, CST-2 On-Peak	4.974	0.99111	4.930
	HLFT-3 (2,000+ kW) Off-Peak	3.821	0.99111	3.787
E	GSLDT-3, CST-3 On-Peak	4.974	0.95828	4.767
	CILC-1(T), ISST-1(T) Off-Peak	3.821	0.95828	3.662
F	CILC-1(D), ISST-1(D) On-Peak	4.974	0.98992	4.924
	Off-Peak	3.821	0.98992	3.782

Table 22-2

FPL - SEASONALLY DIFFERENTIATED TIME OF USE FUEL RECOVERY FACTORS – BY RATE GROUP (Adjusted for Line / Transformation Losses) FOR THE PERIOD APRIL 2012 – OCTOBER 2012				
		APRIL - OCTOBER		
GROUP	RATE SCHEDULE	AVERAGE FACTOR	FUEL RECOVERY LOSS MULTIPLIER	FUEL RECOVERY FACTOR
A	RST-1, GST-1 On-Peak	6.577	1.00233	6.592
	RST-1, GST-1 Off-Peak	3.404	1.00233	3.412
B	GSDT-1, CILC-1 G On-Peak	6.577	1.00224	6.592
	HLFT-1 (21-499 kW) Off-Peak	3.404	1.00224	3.412
C	GSLDT-1, CST-1 On-Peak	6.577	1.00110	6.584
	HLFT-2 (500-1,999 kW) Off-Peak	3.404	1.00110	3.408
D	GSLDT-2, CST-2 On-Peak	6.577	0.99111	6.519
	HLFT-3 (2,000+ kW) Off-Peak	3.404	0.99111	3.374
E	GSLDT-3, CST-3 On-Peak	6.577	0.95828	6.303
	CILC-1(T), ISST-1(T) Off-Peak	3.404	0.95828	3.262
F	CILC-1(D), ISST-1(D) On-Peak	6.577	0.98992	6.511
	Off-Peak	3.404	0.98992	3.370

Table 22-3

FPL - DETERMINATION OF SEASONAL DEMAND TIME OF USE RIDER (SDTR) FUEL RECOVERY FACTORS ON-PEAK: JUNE 2012 THROUGH SEPTEMBER 2012 – WEEKDAYS 3:00 PM TO 6:00 PM OFF-PEAK: ALL OTHER HOURS				
		APRIL - OCTOBER		
GROUP	OTHERWISE APPLICABLE RATE SCHEDULE	AVERAGE FACTOR	FUEL RECOVERY LOSS MULTIPLIER	SDTR FUEL RECOVERY FACTOR
B	GSD(T)-1 On-Peak	7.361	1.00225	7.378
	Off-Peak	3.540	1.00225	3.548
C	GSLD(T)-1 On-Peak	7.361	1.00114	7.369
	Off-Peak	3.540	1.00114	3.544
D	GSLD(T)-2 On-Peak	7.361	0.99154	7.299
	Off-Peak	3.540	0.99154	3.510

Table 22-4

Gulf - Fuel Cost Recovery Factors Adjusted For Line Losses					
Group	Rate Schedules	Line Loss Multipliers	Fuel Cost Factors cents/KWH		
			Standard	TOU (Peak)	TOU (Off-Peak)
A	RS, RSVP, GS,GSD,GSDT, GSTOU, OSIII, SBS(1)	1.00525921	4.969	5.828	4.612
B	LP, LPT, SBS(2)	0.98890061	4.888	5.733	4.537
C	PX, PXT,RTP, SBS(3)	0.98062822	4.847	5.685	4.499
D	OS I/ II	1.00529485	4.917	N/A	N/A
<p>The recovery factor applicable to customers taking service under Rate Schedule SBS is determined as follows: (1) customers with a contract demand in the range of 100 to 499 KW will use the recovery factor applicable to Rate Schedule GSD; (2) customers with a contract demand in the range of 500 to 7,499 KW will use the recovery factor applicable for Rate Schedule LP; and (3) customers with a contract demand over 7,499 KW will use the recovery factor applicable to rate Schedule PX.</p>					

Table 22-5

TECO - Fuel Cost Recovery Factors Adjusted For Line Losses	
Metering Voltage Schedule	Fuel Charge Factors (cents per kWh)
Secondary	4.190
Tier I (Up to 1,000 kWh)	3.840
Tier II (Over 1,000 kWh)	4.840
Distribution Primary	4.148
Transmission	4.106
Lighting Service	4.129
Distribution Secondary	4.580 (On-Peak)
	4.036 (Off-Peak)
Distribution Primary	4.534 (On-Peak)
	3.996 (Off-Peak)
Transmission	4.488 (On-Peak)
	3.955 (Off-Peak)

Table 22-6

II. CAPACITY ISSUES

COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES

Florida Power & Light Company

ISSUE 24A: Has FPL included in the capacity cost recovery clause, the nuclear cost recovery amount ordered by the Commission in Docket No. 110009-EI?

****Type B Stipulation***

Stipulation: *Yes. Based on the Commission's vote at the October 24, 2011 special agenda conference in Docket No. 110009-EI, the nuclear cost recovery amount to be recovered in FPL's 2012 capacity cost recovery clause factors is \$196,088,824.*

ISSUE 24B: What are the appropriate projected jurisdictional non-fuel revenue requirements associated with WCEC-3 for the period January 2012 through December 2012?

****Type B Stipulation***

Stipulation: *The appropriate projected jurisdictional non-fuel revenue requirements associated with WCEC-3 for the period January 2012 through December 2012 are \$166,860,714.*

ISSUE 24C: What amount should be included in the capacity cost recovery clause for recovery of jurisdictional non-fuel revenue requirements associated with West County Energy Center Unit 3 (WCEC-3) for the period January 2012 through December 2012?

****Type B Stipulation***

Stipulation: *FPL has included \$166,860,714 of jurisdictional non-fuel revenue requirements associated with WCEC-3 for recovery in the capacity cost recovery clause. This amount is the lesser of the projected 2012 WCEC-3 jurisdictional non-fuel revenue requirements and the projected 2012 WCEC-3 jurisdictional fuel savings.*

Tampa Electric Company

ISSUE 26A: Should the Commission approve Tampa Electric Company's proposal to charge incremental cybersecurity costs to the capacity cost recovery clause?

****Type A stipulation.***

Stipulation: *Tampa Electric will withdraw its proposal to charge incremental cybersecurity costs in the amount of \$295,465 (the full amount requested). That withdrawal is reflected in the revised testimony and exhibit pages and prehearing statement*

positions, which shall be substituted in place of the corresponding pages and positions originally filed in this proceeding.

The effect of this withdrawal of incremental cybersecurity costs is a reduction in Tampa Electric's capacity cost recovery factors for January 2012 through December 2012, as reflected in the revised schedules.

GENERIC CAPACITY COST RECOVERY FACTOR ISSUES

ISSUE 27: What are the appropriate capacity cost recovery true-up amounts for the period January 2010 through December 2010?

****Type B Stipulation***

Stipulation: *The appropriate capacity cost recovery true-up amounts for the period January 2010 through December 2010 are:*

*FPL: \$ 3,364,670 over-recovery.
GULF: \$ 1,217,382 over-recovery.
TECO: \$ 461,060 under-recovery.*

ISSUE 28: What are the appropriate capacity cost recovery actual/estimated true-up amounts for the period January 2011 through December 2011?

****Type B Stipulation***

Stipulation: *The appropriate capacity cost recovery actual/estimated true-up amounts for the period January 2011 through December 2011 are:*

*FPL: \$ 25,243,602 over-recovery.
GULF: \$ 7,179,724 over-recovery.
TECO: \$ 31,477 over-recovery.*

ISSUE 29: What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2012 through December 2012?

****Type B Stipulation***

Stipulation: *The appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2012 through December 2012 are:*

*FPL: \$ 28,608,272 over-recovery.
GULF: \$ 8,397,106 over-recovery.
TECO: \$ 429,583 under-recovery.*

ISSUE 30: What are the appropriate projected total capacity cost recovery amounts for the period January 2012 through December 2012?

***Type B Stipulation**

Stipulation: The appropriate projected total capacity cost recovery amounts for the period January 2012 through December 2012 are:

*FPL: \$ 546,891,268, excluding the amounts under Issue 24A and Issue 24C.
GULF: \$ 46,396,792.
TECO: \$ 44,720,668.*

ISSUE 31: What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2012 through December 2012?

***Type B Stipulation**

Stipulation: *FPL: \$ 518,656,160, excluding the amounts under Issue 24A and Issue 24C.
GULF: \$ 38,027,046.
TECO: \$ 44,995,474.*

	FPL	TECO	GULF
<i>Issue 29</i>	<i>-\$28,608,272</i>	<i>\$429,583</i>	<i>-\$8,397,106</i>
<i>Issue 30*</i>	<i>\$546,891,268</i>	<i>\$44,533,518</i>	<i>\$46,396,792</i>
<i>SUM</i>	<i>\$518,282,996</i>	<i>\$44,963,101</i>	<i>\$37,999,686</i>
REVENUE TAX MULTIPLIER	1.00072	1.00072	1.00072
<i>Issue 31*</i>	<i>\$518,656,160</i>	<i>\$44,995,474</i>	<i>\$38,027,046</i>

**In addition, the amounts under Issue 24A and Issue 24C for FPL, are also to be included in the recovery factor for the period January 2012 through December 2012.*

ISSUE 32: What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2012 through December 2012?

***Type B Stipulation**

Stipulation: *The appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2012 through December 2012 should be as follows:*

*FPL: FPSC 98.01395%
FERC 1.98605%*

Gulf: 96.44582%.
PEF: Base -- 92.792%
Intermediate – 72.541%
Peaking – 91.972%.
TECO: 99.58152.%

ISSUE 33: What are the appropriate capacity cost recovery factors for the period January 2012 through December 2012?

****Type B Stipulation***

Stipulation *The appropriate capacity cost recovery factors for the period January 2012 through December 2012 should be as follows:*

FPL: The appropriate capacity cost recovery factors for the period January 2012 through December 2012 are shown in Tables 33-1 and 33-2 below:

Gulf: The appropriate capacity cost recovery factors for the period January 2012 through December 2012 are shown in Table 33-3 below:

TECO: The appropriate capacity cost recovery factors for the period January 2012 through December 2012 are shown in Table 33-4 below:

FPL - Capacity Cost Recovery Factors January 2012 through December 2012						
Rate Schedule	Jan 2012 – Dec 2012 Capacity Recovery Factor		WCEC-3 Capacity Recovery Factor		Total Capacity Recovery Factor Jan 2012 – Dec 2012	
	\$ / KW	\$ / kWh	\$ / KW	\$ / kWh	\$ / KW	\$ / kWh
RS1 / RST1	--	0.00800	--	0.00169	--	0.00969
GS1 / GST1	--	0.00622	--	0.00186	--	0.00808
GSD1 / GSDT1 / HLFT1 (21-499 Kw)	2.11	--	0.55	--	2.66	--
OS2	--	0.00312	--	0.00175	--	0.00487
GSLD1 / GSLDT1 / CS1 / CST1 / HLFT2 (500- 1,999 kW)	2.45	--	0.63	--	3.08	--
GSLD2 / GSLDT2 / CS2 / CST2 / HLFT3 (2,000 + kW)	2.39	--	0.58	--	2.97	--
GSLD3 / GSLDT3 / CS3 / CST3	2.84	--	0.79	--	3.63	--
ISST1D	**	--	**	--	**	--
ISST1T	**	--	**	--	**	--
SST1T	**	--	**	--	**	--
SST1D1 / SST1D2 / SST1D3	**	--	**	--	**	--
CILCD / CILCG	2.39	--	0.72	--	3.11	--
CILC T	2.35	--	0.73	--	3.08	--
MET	2.67	--	0.77	--	3.44	--
OL1 / SL1 / PL1	--	0.00062	--	0.00067	--	0.00129
SL2 /GSCU1	--	0.00482	--	0.00093	--	0.00575

Table 33-1

FPL - Capacity Cost Recovery Factors For Standby Rates January 2012 through December 2012						
Rate Schedule	Jan 2012 – Dec 2012 Capacity Recovery Factor		WCEC-3 Capacity Recovery Factor		Total Capacity Recovery Factor Jan 2012 – Dec 2012	
	<u>RDC</u> **\$ / KW	<u>SDD</u> **\$ / kWh	<u>RDC</u> **\$ / KW	<u>SDD</u> **\$ / kWh	<u>RDC</u> **\$ / KW	<u>SDD</u> **\$ / kWh
ISST1D	\$0.32	\$0.15	\$0.08	\$0.04	\$0.40	\$0.19
ISST1T	\$0.32	\$0.15	\$0.07	\$0.04	\$0.39	\$0.19
SST1T	\$0.32	\$0.15	\$0.07	\$0.04	\$0.39	\$0.19
SST1D1 / SST1D2 / SST1D3	\$0.32	\$0.15	\$0.08	\$0.04	\$0.40	\$0.19

Table 33-2

Gulf - Capacity Cost Recovery Factors	
Rate Class	Capacity Cost Recovery Factors (cents per kWh)
RS, RSVP	0.378
GS	0.345
GSD,GSDT, GSTOU	0.298
LP, LPT	0.260
PX, PXT,RTP, SBS	0.232
OS-I / II	0.138
OS III	0.224

Table 33-3

TECO - Capacity Cost Recovery Factors		
Rate Class and Metered Voltage	Capacity Cost Recovery Factors (dollars per kWh)	Capacity Cost Recovery Factors (dollars per KW)
RS Secondary	0.00276	
GS and TS Secondary	0.00256	
GSD, SBF Standard		
Secondary		0.86
Primary		0.85
Transmission		0.84
GSD Optional		
Secondary	0.00203	
Primary	0.00201	
IS, SBI		
Primary		0.68
Transmission		0.68
LS1 Secondary	0.0064	

Table 33-4

III. EFFECTIVE DATE

ISSUE 34: What should be the effective date of the fuel adjustment factors and capacity cost recovery factors for billing purposes?

****Type B Stipulation***

Stipulation: *The new factors should be effective beginning with the first billing cycle for January 2012. The first billing cycle may start before January 1, 2012, and thereafter the fuel adjustment factors and the capacity cost recovery factors should remain in effect until modified by the Commission.*

XI. PENDING MOTIONS

There are no pending motions at this time.

XII. PENDING CONFIDENTIALITY MATTERS

FPL: Florida Power and Light Company's first request for extension of confidential classification of responses to Staff's 4/4/08 data request nos. 1 and 2, (x-ref DN 03853-0 and DN 03097-08), DN00127-11, dated January 6, 2011.

Florida Power and Light Company's request for confidential classification of certain information on Schedule A12, capacity costs for the months 12/10, DN 00477-11, dated January 20, 2011.

Florida Power and Light Company's request for confidential classification of Forms 423-1, 423-1(a) and 423-1(b) for 11/10; 423-2, 423-2(a), and 423-2(b) for SJRPP for 11/10; and 423-2, 423-2(a), and 423-2(b) for Plant Scherer for 10/10, DN 00655-11, dated January 27, 2011.

Florida Power and Light Company's revised request for confidential classification of information provided in response to Staff's 6th set of interrogatories (x-ref DNs 08274-10 and 00685-11), DN 01066-11, dated February 26, 2011.

Florida Power and Light Company's revised request for confidential classification of information provided in response to Staff's 7th set of interrogatories, DNs 08737-10, dated February 26, 2011.

Florida Power and Light Company's request for confidential classification of certain information contained in Schedule A12 of Appendix II to testimony of Terry J. Keith, DN 01370-11, dated March 1, 2011.

Florida Power and Light Company's request for confidential classification of Forms 423-1(a), 423-2, 2(a), and 2(b) for January 2011/December 2010, DN 01805-11, dated March, 17, 2011.

Florida Power and Light Company's request for confidential classification of fuel hedging activities and market comparisons contained in Exhibit GJY-1 to testimony of Gerard J. Yupp, DN 02147-11, dated April 1, 2011.

Florida Power and Light Company's request for confidential classification of information provided in response to Staff's 1st set of Interrogatories Nos. 1-3, DN 02360-11, dated April 8, 2011.

Florida Power and Light Company's request for confidential classification of Forms 423-1(a), 423-2, 2(a), and 2(b) for February /January, DN 02828-11, dated April 25, 2011.

Florida Power and Light Company's first request for extension of confidential classification of certain information contained in the 2009 fuel hedging information (Exhibit GJY-2), (x-ref DN 08530-09), DN 03114-11, dated May 4, 2011.

Florida Power and Light Company's first request for extension of confidential classification of short term capacity payment information (x-ref DN 01913-09), DN 03267-11, dated May 11, 2011.

Florida Power and Light Company's first request for extension of confidential information classification of certain information contained in Forms 423-2, 423-2(a), and 423-2(b) for 12/08 (DN 01504-09), DN 03429-11, dated May 17, 2011.

Florida Power and Light Company's third request for extension of confidential classification of information provided pursuant to Audit No. 04-22-4-1 (x-ref DN 07270-04, 07271-04, 07272-04, 07442-04, and 06218-11), DN 03431-11, dated May 17, 2011.

Florida Power and Light Company's first request for extension of confidential classification of information contained in Forms 423-2, 423-2(a), and 423-2(b) for 10/08 (x-ref DN11618-08), DN03435-11, dated May 17, 2011.

Florida Power and Light Company's first request for extension of confidential classification of certain information contained in Forms 423-2, 423-2(a), 423-2(b) for 7/08 (x-ref DN 09072-08), DN 03455-11, dated May 18, 2011.

Florida Power and Light Company's first request for extension of confidential classification of certain information contained in Forms 423-2, 423-2(a), and 423-2(b) for 08/08 (x-ref DN 10755-08), DN 03456-11, dated May 18, 2011.

Florida Power and Light Company's first request for extension of confidential classification of certain information contained in Forms 423-2, 423-2(a), and 423-2(b) for 09/08 (DN 11546-08), DN 03470-11, dated May 18, 2011.

Florida Power and Light Company's request for confidential classification of information provided in response to Staff's 2nd Set of Interrogatories Nos. 4 & 5 and 1st Request for PODs Nos. 4-8, DN 03633-11 dated May 24, 2011.

Florida Power and Light Company's request for confidential classification of Forms 423-1(a), 423-2, 2(a), and 2(b) for March/February 2011, DN 03691-11, dated May 26, 2011.

Florida Power and Light Company's request for confidential classification of materials provided pursuant to Audit No. 11-006-4-2, DN 04073-11, dated June 14, 2011.

Florida Power and Light Company's first request for extension of confidential classification of certain information on FPL's 2010 Risk Management plan, DN 04104-11, dated June 15, 2011.

Florida Power and Light Company's request for confidential classification of materials provided pursuant to Audit No. 11-006-4-1, DN 04780-11, dated July 12, 2011.

Florida Power and Light Company's request for confidential classification of Forms 423-1(a), 423-2, 2(a) and 2(b) for May/April 2011, DN 05042-11, dated July 20, 2011.

Florida Power and Light Company's request for confidential classification of certain information on 2012 Risk Management plan, DN 05400-11, dated August 1, 2011.

Florida Power and Light Company's revised documents regarding 5/10 renewed request for confidential classification (DN 03809-10 of Audit No. 08-003-4-3 (see DNs 05001-08, 05002-08, 05003-08, 05004-08, 05005-08, 0526-08, and 05533-11), DN 05532-11, dated August 5, 2011.

Florida Power and Light Company's request for confidential classification of certain information contained in the fuel hedging information Exhibit GJY-3 in the testimony of Gerry Yupp, DN 05767-11, dated August 15, 2011.

Florida Power and Light Company's third request for extension of confidential classification of material provided pursuant to Audit No. 05-031-4-1, DN 05920-11, dated August 19, 2011.

Florida Power and Light Company's second request for extension of confidential classification of materials provided pursuant to Audit No. 06-045-4-1, DN 05983-11, dated August 22, 2011.

Florida Power and Light Company's second request for extension of confidential classification of materials provided pursuant to Audit No. 06-046-4-1 (x-ref DNs 04323-06,04324-6, and 04629-06), DN 05988-11, dated August 22, 2011.

Florida Power and Light Company's revised third request for extension of confidential classification of information provided pursuant to Audit No. 04-022-4-1 (x-ref DNs 0727004,07271-04,07272-04,07442-04, and 03431-11), DN 06218-11, dated August 29, 2011.

Florida Power and Light Company's request for confidential classification of capacity payments to non-cogeneration identified in Schedule E12 of Appendix IV to testimony of Terry J. Keith, DN 06339-11, dated September 1, 2011.

Florida Power and Light Company's request for confidential classification of information provided in response to Staff's 6th set of interrogatories (Nos. 37,41,45, and 47-49), DN 07081-11, dated September 29, 2011.

Florida Power and Light Company's first request for extension of confidential classification of information provided pursuant to Audit No. 08-221-4-1, (x-ref. DNs 11377-08, 11378-08. and 11414-08),DN 07247-11, dated October 5, 2011

Florida Power and Light Company's request for confidential classification of information provided pursuant to Audit No. 11-129-4-2 (DN 07322-11), dated October 6, 2011.

Florida Power and Light Company's request for confidential classification of Forms 423-1(a), 423-2, 2(a) and 2(b) for August/July 2011, DN 07792-11, dated October 25, 2011.

PEF: PEF has the following pending requests for confidential classification:

- May 19, 2008 – 423 Forms for March 2008
- June 20, 2008 – 423 Forms for April 2008
- July 9, 2008 – Response to Staff's Second Request for Production of Documents
- July 17, 2008 – Response to FIPUG's First Set of Interrogatories (1-21)
- July 18, 2008 – 423 Forms for May 2008
- August 4, 2008 – Exhibit MO-1 (Part 2 – capacity cost recovery calculations for 2008, page 2 of 2) to the direct testimony of Marcia Olivier.
- August 15, 2008 – Hedging Report (Information contained in Attachments A & B for the period January – July 2008).
- August 22, 2008 – 423 Forms for June 2008

- August 25, 2008 – Response to Staff’s Third Set of Interrogatories (15-19)
- August 29, 2008 - Pages 3, 4 & 5 to the direct testimony of Marcia Olivier, Exhibit MO-2 (Schedule E-12 – capacity costs, Part 3, page 3 of 5) to the direct testimony of Marcia Olivier, Exhibit JM-1P (Page 1-2 and Attachments A-H) and Exhibit JM-2P to the direct testimony of Joseph McCallister.
- September 24, 2008 – 423 Forms for July 2008
- October 15, 2008 – Responses to Staff’s 5th Set of Interrogatories (Q. 51)
- October 16, 2008 – Responses to Staff’s 3rd Request for Production of Documents (Q. 13-17)
- October 20, 2008 – Responses to Staff’s 6th Set of Interrogatories (53-87)
- October 30, 2008 – 423 Forms for August 2008
- November 24, 2008 – 423 Forms for September 2008
- December 24, 2008 – 423 Forms for October 2008
- January 28, 2009 – 423 Forms for November 2008
- February 9, 2009 – 423 Forms for December 2008
- March 9, 2009 – Exhibit WG-3T, Schedule A12 to the direct testimony of Will Garrett.
- March 13, 2009 - 423 Forms for January 2009
- March 30, 2009 – Responses to Staff’s First Request for Production of Documents (1-8)
- April 3, 2009 – Exhibit JM-1T (2002 – 2008 Hedging information) to the direct testimony of Joseph McCallister.
- April 16, 2009 - 423 Forms for February 2009
- April 30, 2009 - 423 Forms for March 2009
- May 26, 2009 - 423 Forms for April 2009
- July 6, 2009 - 423 Forms for May 2009
- July 31, 2009 - 423 Forms for June 2009
- August 4, 2009 – Exhibit MO-1, Schedule E12, Part 2 to the direct testimony of Marcia Olivier and portions of the 2010 Risk Management Plan.
- August 14, 2009 – Hedging Report (Jan. – July 2009), Attachments A and B.
- September 2, 2009 - 423 Forms for July 2009
- September 15, 2009 – Response to Staff’s Third Set of Interrogatories (22-25).
- October 7, 2009 – Responses to Staff’s 4th Set of Interrogatories (26-35)
- October 12, 2009 – 423 Forms for August 2009
- November 6, 2009 – 423 Forms for September 2009
- December 4, 2009 – 423 Forms for October 2009
- January 13, 2010 – 423 Forms for November 2009
- January 28, 2010 – 423 Forms for December 2009
- February 25, 2010 – 423 Forms for January 2010
- March 22, 2010 – Responses to Staff’s 1st Set of Interrogatories (1-14) & Staff’s 1st Request for Production of Documents (1-16).
- March 30, 2010 – 423 Forms for February 2010
- April 1, 2010 – Exhibit JM-1T to the direct testimony of Joe McCallister (Hedging savings/costs for 2009).

- April 22, 2010 – 423 Forms for March 2010
- May 24, 2010 – 423 Forms for April 2010
- June 30, 2010 – 423 Forms for May 2010
- August 2, 2010 – Exhibit MO-1 to the direct testimony of Marcia Olivier & portions of 2011 Risk Management Plan (Exh. JM-1P) (Pgs. 1-3, Attachments A, B, C, E & F).
- August 10, 2010 – 423 Forms for June 2010
- August 16, 2010 – Hedging Report (January – July 2010) (Exh. JM-2P).
- September 1, 2010 – 423 Forms for July 2010
- September 1, 2010 – Exhibit MO-2 to direct testimony of Marcia Olivier.
- September 20, 2010 – Responses to Staff's 5th Set of Interrogatories (45-62).
- September 30, 2010 – Responses to Staff's 6th Set of Interrogatories (63-72).
- October 5, 2010 – 423 Forms for August 2010
- October 25, 2010 – Responses to FIPUG's 1st Set of Interrogatories (1-22) & 1st Request for Production of Documents (1-6)
- October 29, 2010 – Updated Response to FIPUG's 1st Set of Interrogatories, specifically Q. 17 & 18.
- March 1, 2011 – Exhibit WG-3T (Schedule A12) to the direct testimony of Will Garrett.
- April 1, 2011 – August – December 2010 Hedging Report (Exhibit JM-1T to the testimony of Joseph McCallister)
- April 1, 2011 – Responses to Staff's 1st Set of Interrogatories (1-3)
- April 6, 2011 – 423 Forms for February 2011
- May 4, 2011 – 423 Forms for March 2011
- May 23, 2011 – Responses to Staff's 1st Request for Production of Documents (1-13)
- June 10, 2011 – 423 Forms for April 2011
- July 7, 2011 – 423 Forms for May 2011
- August 1, 2011 – 423 Forms for June 2011
- August 1, 2011 – Exhibit MO-1 (Schedule E12-B, Page 2 of 2) to the direct testimony of Marcia Olivier & portions of the 2012 Risk Management Plan (Exhibit JM-1P)
- August 15, 2011 – Hedging Report (January – July 2011) (Exhibit JM-2P)
- September 1, 2011 – 423 Forms for July 2011
- September 1, 2011 - Exhibit MO-2 to the projection testimony of Marcia Olivier
- September 29, 2011 – Responses to Staff's 6th Set of Interrogatories (81-95)
- September 29, 2011 – 423 Forms for August 2011
- October 14, 2011 – Hedging Report

GULF:

1. Request for confidentiality filed March 1, 2011, relating to Schedule CCA-4 of Exhibit RWD-1 to the direct testimony of R. W. Dodd (DN 01344-11).
2. Requests for confidentiality filed March 1, 2011, relating to Schedule 2 of Exhibit HRB-1 to the direct testimony of H. R. Ball (DN 01346-11).

3. Request for confidentiality filed April 1, 2011, relating to Gulf's Hedging Activity True-up Report (DN 02196-11).
4. Request for confidentiality filed April 1, 2011, relating to Gulf's Form 423 for January, 2011 (DN 02194-11).
5. Request for confidentiality filed April 25, 2011, relating to Gulf's Form 423 for February, 2011 (DN 02813-11).
6. Request for confidentiality filed May 26, 2011, relating to Gulf's Form 423 for March, 2011 (DN 03701-11).
7. Request for confidentiality filed June 27, 2011, relating to Gulf's responses to Staff's Third Set of Interrogatories (DN 04416-11).
8. Request for confidentiality filed June 29, 2011, relating to Gulf's Form 423 for April, 2011 (DN 04473-11).
9. Request for confidentiality filed June 29, 2011, relating to documents produced in connection with review of 2010 Fuel and Capacity Expenditures (DN 04475-11).
10. Request for confidentiality filed July 28, 2011, relating to Gulf's Form 423 for May, 2011 (DN 05249-11).
11. Request for confidentiality filed August 1, 2011, relating to Schedule CCE-4 of Exhibit RWD-2 to the direct testimony of R. W. Dodd (DN 05352-11).
12. Request for confidentiality filed August 1, 2011, relating to Gulf Power's Risk Management Plan for Fuel Procurement for 2012 (DN 05354-11).
13. Request for confidentiality filed August 15, 2011, relating to Gulf's Hedging Information Report (DN 05772-11).
14. Request for confidentiality filed August 24, 2011, relating to Gulf's Form 423 for June, 2011 (DN 06091-11).
15. Request for confidentiality filed September 1, 2011, relating to Schedule CCE-4 of Exhibit RWD-3 and RWD-4 to the direct testimony of R. W. Dodd (DN 06303-11).
16. Request for confidentiality filed September 28, 2011, relating to Gulf's Form 423 for July, 2011 (DN 07022-11).
17. Request for confidentiality filed September 29, 2011, relating to Gulf's responses to Staff's Fifth Set of Interrogatories (DN 07077-11).

TECO: Tampa Electric has pending several requests for confidential treatment of information relating to hedging practices, risk management strategies and fuel and fuel transportation contract matters.

XIII. POST-HEARING PROCEDURES

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position of no more than 50 words, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than ____ pages and shall be filed at the same time.

XIV. RULINGS

Opening statements, if any, shall not exceed 5 minutes per party. For Issue 1C, at the Chairman's option, Progress Energy Florida, Inc. may present its opening statement after all the intervening parties. The Chairman may extend Progress Energy Florida, Inc.'s time if he deems it appropriate.

ISSUE 1D proposed by FIPUG shall not be addressed as a separate issue in this proceeding. FIPUG may address the constitutionality of the Commission's action in its position on ISSUE 1C, and thereby preserve the question for appeal. It is not necessary for the Commission to make a finding of constitutionality in a separate issue.

Tampa Electric Company's motion to revise its testimony and exhibits to reflect the proposed stipulation on Issue 26A is hereby granted.

It is therefore,

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

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By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 28th day of
October, 2011.



RONALD A. BRISÉ

Commissioner and Prehearing Officer
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LCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.