

**Eric Fryson**

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**Sent:** Thursday, November 08, 2012 4:22 PM  
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**Subject:** Electronic Filing - Docket No. 120015-EI  
**Attachments:** 120015.FRF.PrehearingStatement.11-8-12.pdf

a. Person responsible for this electronic filing:

John T. LaVia, III  
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b. 120015-EI

In Re: Petition for Increase in Rates by Florida Power & Light Company.

c. Document being filed on behalf of the Florida Retail Federation.

d. There are a total of 4 pages.

e. The document attached for electronic filing is The Florida Retail Federation's Prehearing Statement.

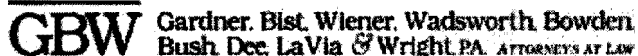
(see attached file: 120015.FRF.PrehearingStatement.11-8-12.pdf)

Thank you for your attention and assistance in this matter

**Rhonda Dulgar**

**Secretary to Jay LaVia & Schef Wright**

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Increase in Rates  
By Florida Power & Light Company.

DOCKET NO. 120015-EI

FILED: NOVEMBER 8, 2012

**THE FLORIDA RETAIL FEDERATION'S  
PREHEARING STATEMENT**

The Florida Retail Federation, pursuant to the Third Order Establishing Procedure in this docket, Order No. PSC-12-0529-PCO-EI, issued on October 3, 2012, hereby submits the Federation's Prehearing Statement.

**APPEARANCES:**

Robert Scheffel Wright  
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On behalf of the Florida Retail Federation.

1. **WITNESSES:**

None.

2. **EXHIBITS:**

None.

3. **STATEMENT OF BASIC POSITION**

The FRF renews its objection to this proceeding and FRF is participating under protest. FRF's basic position in this matter is set forth in "The Florida Retail Federation's Response in Opposition to Joint Motion for Approval of Settlement" filed on August 22, 2012.

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4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

**Issue 1:** Are the generation base rate adjustments for the Canaveral Modernization Project, Riviera Beach Modernization Project, and Port Everglades Modernization Project, contained in paragraph 8 of the Stipulation and Settlement, in the public interest?

FRF: No.

**Issue 2:** Is the provision contained in paragraph 10(b) of the Stipulation and Settlement, which allows the amortization of a portion of FPL's Fossil Dismantlement Reserve during the Term, in the public interest?

FRF: No.

**Issue 3:** Is the provision contained in paragraph 11 of the Stipulation and Settlement, which relieves FPL of the requirement to file any depreciation or dismantlement study during the Term, in the public interest?

FRF: No.

**Issue 4:** Is the provision contained in paragraph 12 of the Stipulation and Settlement, which creates the "Incentive Mechanism" including the gain sharing thresholds established between customers and FPL, in the public interest?

FRF: No.

**Issue 5:** Is the Settlement Agreement in the public interest?

FRF: No.

5. STIPULATED ISSUES:

None.

6. PENDING MOTIONS:

None.

7. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY:

None.

8. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

None at this time.

9. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Florida Retail Federation cannot comply.

Dated this 8<sup>th</sup> day of November, 2012.



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 8th day of November 2012, to the following:

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