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August 1, 2008

-VIA OVERNIGHT DELIVERY -

Ms. Ann Cole Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Re: Docket No. 080007-EI

Dear Ms. Cole:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Petition for Approval of the Environmental Cost Recovery Estimated/Actual True-Up for the Period January 2008 Through December 2008, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows XP, and the word processing software in which the document appears is Word 2003.

Also enclosed for filing are the original and fifteen (15) copies of the prefiled testimony and exhibits of Florida Power & Light Company witnesses K. M. Dubin, R. R. LaBauve and E. Silagy.

COM	5	If there are any questions regarding this transmittal, please contact me at 561-304-		
ECR	5639.			
GCL	7			
OPC				
RCP		Sincerely,		
SSC		$\sigma = 0.00$		
SGA		Terry J. Keith for		
LDM		John T. Butler		
CLK				
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Enclosures

cc: Counsel for Parties of Record (w/encl.)

DOCUMENT NUMBER-DATE

06783 AUG-48

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Environmental Cost)	Docket No. 080007-EI
Recovery Clause)	Filed: August 4, 2008

PETITION FOR APPROVAL OF THE ENVIRONMENTAL COST RECOVERY ESTIMATED/ACTUAL TRUE-UP FOR THE PERIOD JANUARY 2008 THROUGH DECEMBER 2008

Florida Power & Light Company ("FPL") pursuant to Order No. PSC-93-1580-FOF-EI, hereby petitions this Commission to approve the calculation of its Environmental Cost Recovery ("ECR") Estimated/Actual True-up under-recovery of \$5,728,576 for the period January 2008 through December 2008. In support of this Petition, FPL incorporates the prepared written testimony of, and documents sponsored by, FPL witnesses K. M. Dubin, R.R. LaBauve and Eric Silagy and states:

- Section 366.8255 of the Florida Statutes, which became effective on April 13,
 1993, authorizes the Commission to review and approve the recovery of prudently incurred
 Environmental Compliance Costs.
- 2. Order PSC-99-2513-FOF-EI, issued on December 22, 1999, requires utilities to file their current period estimated/actual true-ups at least 90 days prior to the ECR clause hearing. The hearing in this docket is scheduled to commence on November 4, 2008, which is more than 90 days after the filing of this petition.
- 3. The calculation of the ECR Estimated/Actual True-up amount for the period January 2008 through December 2008 is contained in Commission Schedules 42-1E through 42-8E, which are attached as Appendix I to Ms. Dubin's testimony.
- 4. FPL's ECR Estimated/Actual True-up under-recovery for the period January 2008 through December 2008 is \$5,728,576, as set forth in the testimony and exhibits of Ms.

Dubin. Pursuant to Order PSC-02-1735-FOF-EI, FPL has included actual costs for the period January through June 2008 and revised estimates for the period July through December 2008.

- 5. The ECR Estimated/Actual True-up reflects costs incurred and projected to be incurred through the end of 2008 for the Martin Next Generation Solar Energy Center project, the DeSoto Next Generation Solar Energy Center project, and the Space Coast Next Generation Solar Energy Center project (collectively, the "Solar Projects"). In Docket No. 080281-EI, FPL petitioned the Commission to approve the eligibility of the Solar Projects for recovery through the ECR Clause ("ECRC") pursuant to Section 366.92(4), Fla. Stat., which was recently enacted as part of House Bill 7135 and became effective on July 1, 2008. The Commission approved the Solar Projects for ECRC recovery at the July 15, 2008 agenda conference. Details with respect to each of the Solar Projects are contained in Mr. Silagy's testimony and exhibits.
- 6. A portion of FPL's costs for the Solar Projects were incurred during 2007. As this is FPL's first ECRC filing since the enactment of Section 366.92(4), Fla. Stat., it is also the first opportunity for FPL to request ECRC recovery of costs for the Solar Projects. Accordingly, FPL has included its 2007 costs for the Solar Projects as part of the 2008 ECRC Estimated/Actual True-Up for which this Petition seeks Commission approval.

WHEREFORE, FPL respectfully requests the Commission to approve the Environmental Cost Recovery Estimated/Actual True-up amount requested herein for the period January 2008 through December 2008, which includes recovery of the costs that FPL has incurred and projects to incur through the end of 2008 for the Solar Projects.

Respectfully submitted,

R. Wade Litchfield John T. Butler Law Department Florida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 33408-0420 Telephone: 561-304-5639

Fax: 561-691-7135

Florida Bar No. 283479

CERTIFICATE OF SERVICE

Docket No. 080007-EI

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Petition for Approval of the Environmental Cost Recovery Estimated/Actual True-Up for the Period January 2008 Through December 2008 has been furnished by overnight delivery (*) or U.S. Mail on August 1, 2008 to the following:

Martha Brown, Esq.(*)
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By: Tenz J. Keith for