

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine
need for Hines Unit 3 in Polk
County by Florida Power
Corporation.

DOCKET NO. 020953-EI
ORDER NO.
ISSUED:

COMMISSION'S PREHEARING STATEMENT

Pursuant to Order No. PSC-02-1310-PCO-EI, issued September 26, 2002, the Commission Staff (Staff) files its prehearing statement as follows:

A. Witnesses

Staff does not intend to call any witnesses.

B. Exhibits

Staff does not intend to sponsor any exhibits, but reserves the right to use exhibits for the purpose of cross-examination.

C. Basic Position

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.

D. Issues of Fact, Law and Policy

The following are issues identified by Staff and its positions on these issues. Staff's positions are preliminary, are based upon materials filed by the utility or obtained through discovery and are intended to inform the parties of Staff's preliminary positions. Staff's final positions will be based upon an analysis of the evidence presented at the hearing.

DOCUMENT NUMBER-DATE

12362 NOV 12 8

FPSC-COMMISSION CLERK

ISSUE 1: Is there a need for the proposed Hines Unit 3, taking into account the need for electric system reliability and integrity, as this criterion is used in Section 403.519, Florida Statutes?

POSITION: No position at this time.

ISSUE 2: Is there a need for the proposed Hines Unit 3, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in Section 403.519, Florida Statutes?

POSITION: No position at this time.

ISSUE 3: Has Florida Power Corporation met the requirements of Rule 25-22.0826, Florida Administrative Code, "Selection of Generating Capacity".

POSITION: No position at this time.

ISSUE 4: Is the proposed Hines Unit 3 the most cost-effective alternative available, as this criterion is used in Section 403.519?

POSITION: No position at this time.

ISSUE 5: Are there any conservation measures taken by or reasonably available to Florida Power Corporation which might mitigate the need for the proposed power plant?

POSITION: No position at this time.

ISSUE 6: Has Florida Power Corporation adequately ensured the availability of fuel commodity and transportation to serve Hines Unit 3?

POSITION: No position at this time.

ISSUE 7: Based on the resolution of the foregoing issues, should the Commission grant Florida Power Corporation's petition to determine the need for the proposed Hines Unit 3?

POSITION: No position at this time.

ISSUE 8: Should this docket be closed?

POSITION: No position at this time.

E. Stipulated Issues

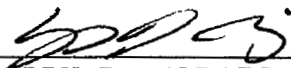
There are no stipulations at this time.

F. Pending Matters

There are no pending matters at this time.

G. Requirements That Cannot Be Complied With

There are no requirements of Order No. PSC-02-1310-PCO-EI that cannot be complied with at this time.



LARRY D. HARRIS, SENIOR ATTORNEY

FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Telephone No.: (850) 413-6199

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FILED:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of COMMISSION'S
PREHEARING STATEMENT has been furnished to the following, by U.S.
Mail, on this 12th day of November, 2008

Gary L. Sasso, Esquire
Jill H. Bowman, Esquire
Carlton, Fields Law Firm
P.O. Box 2861
St. Petersburg, FL 33731-2861

Carlton Fields Law Firm
W. Douglas Hall
Post Office Drawer 190
Tallahassee, FL 32302

Florida Power Corporation
Mr. Paul Lewis, Jr.
106 East College Avenue
Tallahassee, FL 32301-7740

Progress Energy Service Co.,
LLP
James A. McGee
100 Central Avenue
Saint Petersburg, FL 33701



LARRY D. HARRIS, SENIOR ATTORNEY

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