

ORIGINAL
FILE COPY



JACK SHREVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, Florida 32399-1400
904-488-9330

January 27, 1997

Ms. Blanco S. Bayó
Director, Division Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399

Re: Docket No. **970002-EG**
Conservation Cost Recovery Factor

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket is an original and fifteen (15) copies of Prehearing Statement of the Office of Public Counsel. A diskette in Wordperfect 6.1 is also submitted.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

John Roger Howe
Deputy Public Counsel

- ACK _____
- AFA 1
- APP _____
- CAF _____
- CMU _____
- CTR _____
- ESG 1 RH/ddj
- LEV _____
- LIN 3 Enclosures
- OPC _____
- ROH _____
- SES 1
- WAS _____
- OTF _____

cc: Parties of Record

DOCUMENT NUMBER DATE
01046 JAN 27 97
FPSC-RECORDS/REPORTING

ORIGINAL
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Conservation Cost Recovery)
Factor.)
_____)

DOCKET NO. 970002-EG
FILED: January 27, 1997

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through the Office of Public Counsel, pursuant to the Order Establishing Procedure in this docket, Order No. PSC-97-0044-PCO-EG, issued January 9, 1997, submit this Prehearing Statement.

APPEARANCES:

JOHN ROGER HOWE, Esquire
Deputy Public Counsel
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.

A. WITNESSES:

None.

B. EXHIBITS:

None.

C. STATEMENT OF BASIC POSITION

None at this time.

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

Generic Conservation Cost Recovery Clause Issues

ISSUE 1: What are the appropriate end-of-period final true-up amounts for the period October, 1995, through September, 1996?

OPC:

FPC :	No position at this time.
FPL :	No position at this time.
FPUC: Marianna:	No position at this time.
Fernandina:	No position at this time.
GPC :	No position at this time.
TECO:	No position at this time.
CHESAPEAKE :	No position at this time.
CITY GAS :	No position at this time.
PEOPLES GAS :	No position at this time.
ST. JOE:	No position at this time.
WEST FLORIDA:	No position at this time.

ISSUE 2: What are the appropriate conservation cost recovery factors for the period April, 1996, through March, 1997?

OPC:

FPC :	No position at this time.
FPL :	No position at this time.
FPUC: Marianna:	No position at this time.
Fernandina:	No position at this time.
GPC :	No position at this time.
TECO:	No position at this time.
CHESAPEAKE :	No position at this time.
CITY GAS :	No position at this time.
PEOPLES GAS :	No position at this time.
ST. JOE:	No position at this time.
WEST FLORIDA:	No position at this time.

Company-Specific Conservation Cost Recovery Issues

Florida Power Corporation (FPC)

ISSUE 3: Is \$3,808,441 the appropriate Revenue Decoupling over-recovery for the years 1995 and 1996?

OPC: No position at this time.

Florida Power & Light (FPL)

ISSUE 4: Should FPL be allowed to recover costs through the ECCR for studies or analyses comparing natural gas applications to electric applications?

OPC: No position at this time.

E. STATEMENT OF LEGAL ISSUES AND POSITIONS: None at this time.

F. STATEMENT OF POLICY ISSUES AND POSITIONS: None at this time.

G. STIPULATED ISSUES: None.

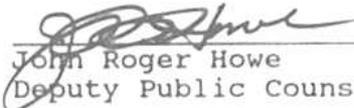
H. PENDING MOTIONS: None.

I. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Office of Public Counsel cannot comply.

Respectfully submitted,

JACK SHREVE
Public Counsel


John Roger Howe
Deputy Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

(904) 488-9330

Attorneys for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE
DOCKET NO. 970002-EG

I HEREBY CERTIFY that a true and correct copy of the PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL has been furnished by *hand-delivery or by U.S. Mail to the following parties on this 27th day of January, 1997:

LEE L. WILLIS, ESQUIRE
JAMES D. BEASLEY, ESQUIRE
Ausley & McMullen
227 S. Calhoun Street
Post Office Box 391
Tallahassee, FL 32301

*LORNA R. WAGNER, ESQUIRE
Division of Legal Services
Florida Public Service
Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0863

CHARLES A. GUYTON, ESQUIRE
Steel Hector & Davis
215 South Monroe Street
Suite 601
Tallahassee, FL 32301-1804

JAMES A. MCGEE, ESQUIRE
Florida Power Corporation
Post Office Box 14042
St. Petersburg, FL 33733-4042

JEFFREY A. STONE, ESQUIRE
RUSSELL A. BADDERS, ESQUIRE
Beggs & Lane
Post Office Box 12950
Pensacola, FL 32576-2950

NORMAN H. HORTON, JR., ESQUIRE
Messer, Caparello, Metz, Maida
& Self, P.A.
Suite 701, Barnett Bank Bldg.
P.O. Box 1876
Tallahassee, FL 32302-1876

WAYNE L. SCHIEFELBEIN, ESQUIRE
Gatlin, Schiefelbein & Cowdery
1709-D Mahan Drive
Tallahassee, FL 32308

JOSEPH A. MCGLOTHLIN, ESQUIRE
VICKI GORDON KAUFMAN, ESQUIRE
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

DEBRA SWIM, ESQUIRE
LEAF
1115 North Gadsden Street
Tallahassee, FL 32303

ROBERT SCHEFFEL WRIGHT, ESQ.
Landers & Parsons
310 West College Avenue
P.O. Box 271
Tallahassee, FL 32302

VERNON I. KRUTSINGER
Manager, Energy Utilization
Peoples Gas System, Inc.
P.O. Box 2562
Tampa, FL 33601-2562

STUART SHOAF, PRESIDENT
St. Joe Natural Gas Company
P.O. Box 549
Port St. Joe, FL 32456-0549

MR. RUSSELL D. CHAPMAN
Administrator, Support
Services
Tampa Electric Company
P.O. Box 411
Tampa, FL 33601

MICHAEL A. PALECKI, ESQUIRE
NUI Corporation-Southern
Division
955 East 25 Street
Hialeah, FL 33013-3498

KENNETH A. HOFFMAN, ESQ.
WILLIAM B. WILLINGHAM, ESQ.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman
215 South Monroe Street
Suite 420
P.O. Box 551 (32302-0551)
Tallahassee, FL 32301-1841



John Roger Howe
Deputy Public Counsel