

ORIGINAL



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October 24, 2001

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Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: Docket No. 010007-EI

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of the Public Counsel's Prehearing Statement in the above-referenced docket.

Also enclosed is a 3.5 inch diskette containing the Public Counsel's Prehearing Statement in WordPerfect for Windows 6.1. Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Robert D. Vandiver
Associate Public Counsel

RDV/dsb

Enclosures

- APP _____
- CAF _____
- OMP _____
- OCM S _____
- CTR _____
- EOP _____
- LEG H _____
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DOCUMENT NUMBER-DATE
13495 OCT 24 01
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost)
recovery clause.)
_____)

Docket No. 010007-EI

Filed: October 24, 2001

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-01-0658-PCO-EI, issued March 16, 2001, submit this Prehearing Statement.

APPEARANCES:

ROBERT D. VANDIVER, Esquire
Associate 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 necessary.

DOCUMENT NUMBER DATE
13495 OCT 24 01
FPSC-COMMISSION CLERK

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

Generic Environmental Cost Recovery Issues

ISSUE 1: What are the appropriate final environmental cost recovery true-up amounts for the period ending December 31, 2000?

OPC: No position at this time.

ISSUE 2: What are the estimated environmental cost recovery true-up amounts for the period January 2001 through December 2001?

OPC: No position at this time.

ISSUE 3: What are the total environmental cost recovery true-up amounts to be collected or refunded during the period January 2002 through December 2002?

OPC: No position at this time.

ISSUE 4: What are the appropriate projected environmental cost recovery amounts for the period January 2002 through December 2002?

OPC: No position at this time.

ISSUE 5: What should be the effective date of the environmental cost recovery factors for billing purposes?

OPC: No position at this time.

ISSUE 6: What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery amounts for the period January 2002 through December 2002?

OPC: No position at this time.

ISSUE 7: What are the appropriate jurisdictional separation factors for the projected period January 2002 through December 2002?

OPC: No position at this time.

ISSUE 8: What are the appropriate environmental cost recovery factors for the period January, 2002, through December, 2002, for each rate group?

OPC: No position at this time.

Company Specific Environmental Cost Recovery Issues

Florida Power & Light Company

ISSUE 9: What effect does Florida Power & Light Company's stipulation approved by Order No. PSC-99-0519-AS-EI have on the company's level of recovery for 2002?

OPC: The stipulation reads: "For 2002, FPL will not be allowed to recover any costs through the environmental cost recovery docket."

Gulf Power Company

ISSUE 10A: Should the Commission approve Gulf Power Company's request for recovery of costs for Generic NO_x Control Intelligent System (GNOCIS) through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 10B: Should the Commission approve Gulf Power Company's request for recovery of costs for Consumptive Use-Shield Water Substitution Project through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 10C: How should the newly proposed environmental costs for the Consumptive Use-Shield Water Substitution Project be allocated to the rate classes?

OPC: No position at this time.

Tampa Electric Company

ISSUE 11A: Should the Commission approve Tampa Electric Company's request for recovery of costs for Gannon Thermal Discharge Study through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 11B: How should the newly proposed environmental costs for the Gannon Thermal Discharge Study project be allocated to the rate classes?

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:

The Citizens are not aware of any requirements of the Order Establishing Procedure with which the Office of Public Counsel cannot comply.

Respectfully submitted,

JACK SHREVE
Public Counsel



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Attorneys for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 010007-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Prehearing Statement of the Office of Public Counsel has been furnished by U.S. Mail or hand-delivery (*) on this 24th day of October, 2001, to the following:

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