

ORIGINAL

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President

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Speaker

STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE
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850-488-9330



Harold McLean
Public Counsel

October 4, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RECEIVED-FPSC
OCT-4 PM 4:48
COMMISSION
CLERK

RE: Docket No. 040001-EI

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of the Office of Public Counsel's Preliminary List of Issues and Positions.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Patricia A. Christensen
Associate Public Counsel

- CMP _____
- COM 5
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

PC/pwd
Enclosures

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10670 OCT-4 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with)
generating performance incentive)
factor.)

DOCKET NO. 040001-EI
FILED: October 4, 2004

OFFICE OF PUBLIC COUNSEL PRELIMINARY LIST OF ISSUES

GENERIC FUEL ADJUSTMENT ISSUES

ISSUE 1: What are the appropriate final fuel adjustment true-up amounts for the period January 2003 through December 2003?

OPC POSITION: No position at this time.

ISSUE 2: What are the appropriate estimated fuel adjustment true-up amounts for the period January 2004 through December 2004?

OPC POSITION: No position at this time.

ISSUE 3: What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2005 to December 2005?

OPC POSITION: No position at this time.

ISSUE 4: What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January 2005 to December 2005?

OPC POSITION: No position at this time.

ISSUE 5: What are the appropriate projected net fuel and purchased power cost recovery amounts to be included in the recovery factors for the period January 2005 through December 2005?

OPC POSITION: No position at this time.

ISSUE 6: What are the appropriate levelized fuel cost recovery factors for the period January 2005 through December 2005?

OPC POSITION: No position at this time.

ISSUE 7: What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?

OPC POSITION: No position at this time.

ISSUE 8: What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

OPC POSITION: No position at this time.

ISSUE 9: What should be the effective date of the fuel adjustment charge and capacity cost recovery charge for billing purposes?

OPC POSITION: No position at this time.

ISSUE 10: What are the appropriate actual benchmark levels for calendar year 2004 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

OPC POSITION: No position at this time.

ISSUE 11: What are the appropriate estimated benchmark levels for calendar year 2005 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

OPC POSITION: No position at this time.

COMPANY-SPECIFIC FUEL ADJUSTMENT ISSUES

Progress Energy Florida (Issues 12A, B, C, etc)

No company-specific issues at this time.

Florida Power & Light Company (Issues 13A, B, C, etc)

No additional company-specific issues.

Florida Public Utilities Company (14A, B, C, etc)

No company-specific issue at this time.

Gulf Power Company (15A, B, C, etc)

No company-specific issue at this time.

Tampa Electric Company (16A, B, C, etc)

No company-specific issue at this time.

GENERIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

ISSUE 17: What is the appropriate generation performance incentive factor (GPIF) reward or penalty for performance achieved during the period January 2003 through December 2003 for each investor-owned electric utility subject to the GPIF?

OPC POSITION: No position at this time.

ISSUE 18: What should the GPIF targets/ranges be for the period January 2005 through December 2005 for each investor-owned electric utility subject to the GPIF?

OPC POSITION: No position at this time.

COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

Progress Energy Florida (19A, B, C, etc)

No company-specific issue at this time.

Florida Power & Light Company (20A, B, C, etc)

No company-specific issue at this time.

Gulf Power Company (21A, B, C, etc)

No company-specific issue at this time.

Tampa Electric Company ((22A, B, C, etc)

No company-specific issue at this time.

GENERIC CAPACITY COST RECOVERY FACTOR ISSUES

ISSUE 23: What are the appropriate final capacity cost recovery true-up amounts for the period January 2003 through December 2003?

OPC POSITION: No position at this time.

ISSUE 24: What are the appropriate capacity cost recovery true-up amounts for the period January 2004 through December 2004?

OPC POSITION: No position at this time.

ISSUE 25: What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2005 through December 2005?

OPC POSITION: No position at this time.

ISSUE 26: What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2005 through December 2005?

OPC POSITION: No position at this time.

ISSUE 27: What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factors for the period January 2005 through December 2005?

OPC POSITION: No position at this time.

ISSUE 28: What are the appropriate capacity cost recovery factors for the period January 2005 through December 2005?

OPC POSITION: No position at this time.

COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES

Progress Energy Florida (29A, B, C, etc)

No company-specific issue at this time.

Florida Power & Light Company (30A, B, C, etc)

No company-specific issue at this time.

Gulf Power Company (31A, B, C, etc)

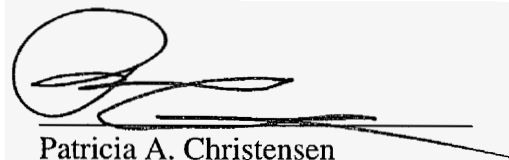
No company-specific issue at this time.

Tampa Electric Company (32A, B, C, etc)

No company-specific issue at this time.

Dated this 4th day of October, 2004.

Respectfully submitted,



Patricia A. Christensen
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Office of Public Counsel
c/o The Florida Legislature
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 4th day of October, 2004, to the following:

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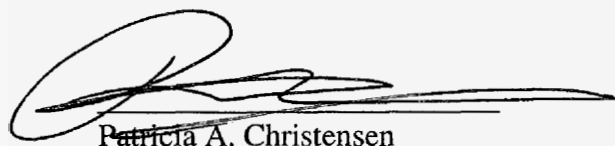
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Thomas K. Churbuck
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A handwritten signature in black ink, appearing to read 'Patricia A. Christensen', is written over a light gray rectangular background.

Patricia A. Christensen
Associate Public Counsel