

ORIGINAL

JAMES E. "JIM" KING, JR.  
President

JOHNNIE BYRD  
Speaker



STATE OF FLORIDA  
OFFICE OF PUBLIC COUNSEL



c/o THE FLORIDA LEGISLATURE  
111 WEST MADISON ST.  
ROOM 812  
TALLAHASSEE, FLORIDA 32399-1400  
850-488-9330

Harold McLean  
Public Counsel

October 13, 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  
04 OCT 12 PM 4:52  
COMMISSION  
CLERK

RE: Docket No. 040007-EI

Dear Ms. Bayó:

Enclosed for filing in the above referenced docket are an original and fifteen copies of the Office of Public Counsel's Preliminary Statement of Issues and Positions together with a diskette containing the electronic version of same. The diskette is HD density; the word processing software in which the document appears is Word 3000.

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.

- CMP \_\_\_\_\_
- COM S \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_ PC/pd
- RCA \_\_\_\_\_ Enclosures
- SCR \_\_\_\_\_
- SEC 1 \_\_\_\_\_
- OTH \_\_\_\_\_

Sincerely,

Patricia A. Christensen  
Associate Public Counsel

RECEIVED & FILED

Mrs  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11022 OCT 12 3

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery )  
clause. )  
)  
)  
\_\_\_\_\_ )

DOCKET NO. 040007-EI

FILED: October 12, 2004

**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-04-0838-PCO-EI, issued March 2, 2004, submit this Prehearing Statement.

**APPEARANCES:**

PATRICIA A. CHRISTENSEN, 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 at this time.

DOCUMENT NUMBER-DATE  
11022 OCT 12 04  
FPSC-COMMISSION CLERK

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

ISSUE 1: What are the final environmental cost recovery true-up amounts for the period ending December 31, 2003?

POSITION: None at this time.

ISSUE 2: What are the estimated environmental cost recovery true-up amounts for the period January 2004 through December 2004?

POSITION: None at this time.

ISSUE 3: What are the projected environmental cost recovery amounts for the period January 2005 through December 2005?

POSITION: None at this time.

ISSUE 4: What are the environmental cost recovery amounts, including true-up amounts for the period January 2005 through December 2005?

POSITION: None at this time.

ISSUE 5: What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery amounts for the period January 2004 through December 2004?

POSITION: None at this time.

ISSUE 6: What are the appropriate jurisdictional separation factors for the projected period January 2005 through December 2005?

POSITION: None at this time.

ISSUE 7: What are the appropriate environmental cost recovery factors for the period January 2005 through December 2005?

POSITION: None at this time.

E. STATEMENT OF LEGAL ISSUES AND POSITIONS: None.

F. STATEMENT OF POLICY ISSUES AND POSITIONS: None.

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.

Dated this 12<sup>th</sup> day of October, 2004

Respectfully submitted,



Patricia A. Christensen  
Florida Bar No. 0989789  
Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
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(850) 488-9330

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of Citizens First Set of Interrogatories has been furnished by U.S. Mail on this 13th day of October, 2004, to the following:

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