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Subject: FPSC Docket No. 080009 - PCS Phosphate Post-hearing Statement
Attachments: P-PCS Post-Hearing Statement1.doc

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b. Docket No. 080009-EI, In re: Nuclear cost recovery clause

c. Filed on behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs

d. Total Pages = 8

e. Post-hearing Statement of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate White Springs (attached as P-PCS-Post-hearing Statement1.doc)

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DOCUMENT NUMBER-DATE

08872 SEP 19 08

FPSC-COMMISSION CLERK

9/19/2008

**POST-HEARING STATEMENT OF ISSUES AND POSITIONS OF
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC.
d/b/a PCS PHOSPHATE – WHITE SPRINGS**

Pursuant to the Florida Public Service Commission’s March 31, 2008 *Order Establishing Procedure*, Order No. PSC-08-0211-PCO-EI (“*Procedural Order*”) and subsequent rulings, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”) submits its post-hearing statement of issues and positions.

I. STATEMENT OF BASIC POSITION

PCS Phosphate confines its positions in this matter to issues involving Progress Energy Florida (“PEF” or “Progress”). PCS Phosphate maintains that, particularly with respect to the Levy Nuclear Project (“LNP”), the Commission must scrutinize the nuclear project cost and scheduling information provided by Progress, fully assess all material cost and schedule variations, and take a hard look at the going forward feasibility of the proposed units as circumstances evolve. For the purposes of 2009 nuclear cost recovery clause purposes, PCS Phosphate supports the stipulation reached between OPC and Progress that no prudence determination will be sought in this proceeding. PCS also supports the stipulation reached as to issues 1D (informing the Commission of any change in ownership or control of any asset afforded nuclear cost recovery clause treatment). In other respects, PCS Phosphate has accepted and adopted the positions

taken by the Florida Office of Public Counsel (“OPC”) on each of the issues that pertain to PEF.

II. STATEMENT ON SPECIFIC ISSUES

Issue 1A: Should Progress Energy Florida, Inc. and Florida Power & Light Company be allowed to recover through the Nuclear Cost Recovery Clause revenue requirements for a phase or portion of a system associated with a power plant, after such phases or portion of the project has been placed into commercial service, or should such phases or portion of the project be recovered through base rates?

PCS Phosphate: * Supports the position of OPC.*

Issue 1B: If recovery of costs for a phase or portion of a system associated with a power plant that is in commercial service continues through the Nuclear Cost Recovery Clause, how should the revenue requirements for that phase or portion be determined?

PCS Phosphate: * Supports the position of OPC.*

Issue 1C: How should the completion of site clearing work be determined for purposes of distinguishing between pre-construction and construction costs for recovery under the clause?

PCS Phosphate: * Supports the position of OPC.*

Issue 1D: Should a utility be required to inform the Commission of any change in ownership or control of any asset which was afforded cost recovery under the Nuclear Cost Recovery Clause?

PCS Phosphate: *Yes, the utility should immediately inform the Commission as well as all parties to the relevant cost recovery docket.*

Issue 3A: Should the Commission find that for the year 2007, PEF’s project management, contracting, and oversight controls were reasonable and prudent for Levy Units 1 & 2 project and the Crystal River 3 Uprate project?

PCS Phosphate: * Supports the position of OPC.*

Issue 3B: **Should the Commission find that for the year 2007, PEF's accounting and costs oversight controls were reasonable and prudent for Levy Units 1 & 2 project and the Crystal River 3 Uprate project?**

PCS Phosphate: * Supports the position of OPC.*

Issue 5A: **Should the Commission grant PEF's request to include the review and approval for recovery through the Nuclear Cost Recovery Clause of prudently incurred site selection costs for the Levy Units 1 & 2 project?**

PCS Phosphate: *PCS Phosphate agrees with and supports the stipulation on this issue.*

Issue 5B: **What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred site selection costs for the Levy Units 1 & 2 Project?**

PCS Phosphate: *Subject to the stipulation on issue 5A, PCS takes no position on this issue.*

Issue 5C: **What amount should the Commission approve as PEF's actual 2008 site selection costs for the Levy Units 1 & 2 Project?**

PCS Phosphate: *Subject to the stipulation on issue 5A, PCS takes no position on this issue.*

Issue 7A: **What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred preconstruction costs for the Levy Units 1 & 2 project?**

PCS Phosphate: *There are no 2007 preconstruction costs for the LNP project.*

Issue 7B: **What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred construction costs for the Levy Units 1 & 2 project?**

PCS Phosphate: *Subject to the stipulation on issue 5A, PCS takes no position on this issue.*

Issue 7C: **What amount should the Commission approve as carrying charges on PEF's prudently incurred 2007 construction costs for the Levy Units 1 & 2 project?**

PCS Phosphate: *Subject to the stipulation on issue 5A, PCS takes no position on this issue.*

Issue 7D: **What total amount should the Commission approve as PEF's final 2007 true-up to be recovered for the Levy Units 1 & 2 project?**

PCS Phosphate: *Subject to the stipulation on issue 5A, PCS takes no position on this issue.*

Issue 7E: **What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred construction costs for the Crystal River 3 Uprate project?**

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 7F: **What amount should the Commission approve as carrying charges on PEF's prudently incurred 2007 construction costs for the Crystal River 3 Uprate project?**

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 7G: **What total amount should the Commission approve as PEF's final 2007 true-up to be recovered for the Crystal River 3 Uprate project?**

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 7H: **Has PEF demonstrated that the uprate-related costs it seeks to recover in this docket are incremental to those it would incur in conjunction with providing safe and reliable service during the period associated with the extension of its operating license, had there been no uprate project?**

PCS Phosphate: *PCS Phosphate agrees with and adopts the proposed stipulation of this issue.*

Issue 9A: What amount should the Commission approve as PEF's 2008 actual and estimated preconstruction costs for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 9B: What amount should the Commission approve as PEF's 2008 actual and estimated construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 9C: What amount should the Commission approve as carrying charges on PEF's 2008 actual and estimated construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 9D: What total amount should the Commission approve as PEF's 2008 actual and estimated costs to be recovered for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 9E: What amount should the Commission approve as PEF's 2008 actual and estimated construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 9F: What amount should the Commission approve as carrying charges on PEF's 2008 actual and estimated construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 9G: What total amount should the Commission approve as PEF's 2008 actual and estimated costs to be recovered for the Crystal River 3 Uprate project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 11A: What amount should the Commission approve as PEF's 2009 projected preconstruction costs for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 11B: What amount should the Commission approve as PEF's 2009 projected construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 11C: What amount should the Commission approve as carrying charges on PEF's 2009 projected construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 11D: What total amount should the Commission approve as PEF's 2009 projected costs to be recovered for the Levy Units 1 & 2 project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 11E: What amount should the Commission approve as PEF's 2009 projected construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 11F: What amount should the Commission approve as carrying charges on PEF's 2009 projected construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 11G: What total amount should the Commission approve as PEF's 2009 projected costs to be recovered for the Crystal River 3 Uprate project?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Issue 13: What total amount should the Commission approve for the Nuclear Cost Recovery Clause to be included in establishing PEF's 2009 Capacity Cost Recovery Clause factor?

PCS Phosphate: *PCS Phosphate agrees with and adopts the position of the OPC.*

Respectfully submitted the 19th day of September, 2008.

BRICKFIELD, BURCHETTE, RITTS & STONE, P.C.

s/ James W. Brew _____

James W. Brew

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*Attorneys for
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been furnished by electronic mail and/or U.S. Mail this 19th day of September 2008 to the following:

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Florida Industrial Power Users Group John W. McWhirter, Jr. c/o McWhirter Law Firm P.O. Box 3350 Tampa, FL 33601-3350	R. Wade Litchfield/John Butler Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420
J.R. Kelly/Stephen Burgess Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400	Mr. Paul Lewis, Jr. Progress Energy Florida, Inc. 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740
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s/ F. Alvin Taylor