

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power)
Cost Recovery with Generating)
Performance Incentive Factor)
_____)

DOCKET NO. 140001-EI
Filed: October 27, 2014

PREHEARING STATEMENT OF
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC.
d/b/a PCS PHOSPHATE – WHITE SPRINGS

Pursuant to the Florida Public Service Commission’s Order No. PSC-14-00439-PCO-EI, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorneys, files its Prehearing Statement in the above matter.

A. APPEARANCES

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B. WITNESSES

PCS Phosphate does not plan to call any witnesses at this time.

C. EXHIBITS

PCS Phosphate does not plan to offer any exhibits at this time, but may introduce exhibits during the course of cross-examination.

D. STATEMENT OF BASIC POSITION

As was noted in the August 22, 2014 Order Establishing Procedure on the deferred Florida Power & Light (“FPL”) issues, FPL’s June 25 petition presents issues of first impression that likely

will affect the Commission's consideration of gas reserves for electric utilities going forward. Consequently, all Florida consumers will be affected by the Commission's resolution of those issues, and, for that reason, PCS Phosphate supports addressing the broader energy policy issues presented through a rule-making process. To the extent that those issues will be resolved in this matter, PCS Phosphate generally accepts and adopts the positions taken by the Florida Office of Public Counsel ("OPC").

E. STATEMENT ON SPECIFIC ISSUES

ISSUE 1: Should the Commission approve Florida Power & Light Company's (FPL) request to recover the amounts it would pay to its subsidiary for gas obtained from the PetroQuest joint venture through the fuel cost recovery clause on the basis and in the manner proposed by FPL in the June 25 Petition?

PCS Phosphate: PCS agrees with the Office of Public Counsel.

ISSUE 2: If the Commission answers Issue 1 in the negative, what standard should the Commission apply to a request by FPL to recover the price that FPL pays to its subsidiary/affiliate for gas obtained through the joint venture with PetroQuest?

PCS Phosphate: PCS agrees with the Office of Public Counsel.

ISSUE 3: What amount, if any, associated with the transactions proposed in FPL's June 25 Petition should be included for recovery through FPL's 2015 fuel cost recovery factor?

PCS Phosphate: PCS agrees with the Office of Public Counsel.

ISSUE 4: Do FPL's proposed guidelines for future capital investments in natural gas exploration and drilling joint ventures satisfy the Commission's criteria for consideration in the fuel cost recovery clause proceeding?

PCS Phosphate: PCS agrees with the Office of Public Counsel.

ISSUE 5: If the Commission answers Issue 4 in the affirmative, should the Commission approve FPL's proposed criteria?

PCS Phosphate: PCS agrees with the Office of Public Counsel.

ISSUE 6: Is FPL contractually precluded by paragraph 6 of the Stipulation and Settlement Agreement dated December 12, 2012 and approved by the Commission in Order No. PSC-13-0023-S-EI from seeking to increase rates as it proposes?

PCS Phosphate: PCS agrees with the Office of Public Counsel.

ISSUE 7: If the Commission concludes that FPL's petition has merit, should the Commission engage in rulemaking pursuant to section 120.54, Florida Statutes, and adopt rules addressing gas reserve guidelines and operations rather than adopting the Gas Reserves Guidelines as proposed by FPL?

PCS Phosphate: Yes, if it is determined that the Commission possesses jurisdiction to entertain recovery of such costs in regulated rates. FPL's petition raises a variety of questions of first impression concerning the role of regulated utilities, Florida rate-making and cost recovery through the fuel adjustment clause that should be addressed through rule-making.

ISSUE 8: What effect, if any, does the Commission's decision on Issue 3 have on the fuel cost recovery factor and GPIF targets/ranges for the period January 2015 through December 2015?

PCS Phosphate: PCS agrees with the Office of Public Counsel.

ISSUE 9: Should this docket be closed?

PCS Phosphate: No position.

F. PENDING MOTIONS

None.

G. PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY

None.

H. OBJECTIONS TO QUALIFICATIONS OF WITNESS AS EXPERT

None at this time.

I. REQUIREMENTS OF ORDER ESTABLISHING PROCEDURE

There are no requirements of the *Procedural Order* with which PCS Phosphate cannot comply.

Respectfully submitted

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

s/ James W. Brew

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Dated: October 27, 2014

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 27th day of October, 2014, to the following:

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