

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Conservation Cost Recovery
Clause

DOCKET NO. 160007-EI

FILED: October 4, 2016

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-16-0103-PCO-EI issued March 11, 2016, submit this Prehearing Statement.

APPEARANCES:

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Associate Public Counsel
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c/o The Florida Legislature
111 West Madison Street, Room 812
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On behalf of the Citizens of the State of Florida.

A. WITNESSES:

None.

B. EXHIBITS:

None.

C. STATEMENT OF BASIC POSITION

The utilities have the burden of proof to justify and support the recovery of costs and their proposal(s) seeking the Commission's adoption of policy statements (whether new or

changed) or other affirmative relief sought, regardless of whether the Interveners provide evidence to the contrary. Regardless of whether the Commission has previously approved a program as meeting the Commission's requirements, the utilities must still meet their burden of demonstrating that the costs submitted for final recovery meet the statutory test(s) and are reasonable in amount and prudently incurred. Issues that are being deferred until 2017 carry no presumption of correctness as to the reasonableness, prudence or retail ratepayer responsibility for the type or category of cost for which recovery is being sought.

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

GENERIC ISSUES

ISSUE 1: What are the final environmental cost recovery true-up amounts for the period January 2015 through December 2015?

OPC: No position at this time.

ISSUE 2: What are the actual/estimated environmental cost recovery true-up amounts for the period January 2016 through December 2016?

OPC: No position at this time.

ISSUE 3: What are the projected environmental cost recovery amounts for the period January 2017 through December 2017?

OPC: No position at this time.

ISSUE 4: What are the environmental cost recovery amounts, including true-up amounts and revenue taxes, for the period January 2017 through December 2017?

OPC: No position 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 2017 through December 2017?

OPC: No position at this time.

ISSUE 6: What are the appropriate jurisdictional separation factors for the projected period January 2017 through December 2017?

OPC: No position at this time.

ISSUE 7: What are the appropriate environmental cost recovery factors for the period January 2017 through December 2017 for each rate group?

OPC: No position at this time.

ISSUE 8: What should be the effective date of the new environmental cost recovery factors for billing purposes?

OPC: No position at this time.

COMPANY SPECIFIC ISSUES

ISSUE 9A: Should all issues related to Gulf's recovery of its identified environmental compliance investment and expenses associated with Gulf's 25% ownership interest in Scherer Unit 3 be carved out and deferred for resolution in Gulf's rate case pending in Docket No. 160186-EI?

OPC: Yes. Deferral with accompanying recovery of claimed costs by Gulf contains no presumption of correctness as to the reasonableness, prudence or retail ratepayer responsibility for the type or category of cost for which recovery is being sought. These costs remain subject to full and complete refund and/or true-up.

ISSUE 9B: Should Gulf be allowed to recover, through the ECRC, prudently incurred costs associated with its Plant Scholz CCR Unit Closure project?

OPC: No position at this time.

ISSUE 9C: How should costs associated with Gulf's Plant Scholz CCR Unit Closure project be allocated to the rate classes?

OPC: No position at this time.

ISSUE 10: Should issues related to FPL's recovery of its projected 2017 costs for the Turkey Point Cooling Canal Monitoring Plan project be deferred for resolution in the 2017 ECRC docket?

OPC: Yes. Deferral with accompanying recovery of claimed costs by FPL contains no presumption of correctness as to the reasonableness, prudence or retail ratepayer responsibility for the type or category of cost for which recovery is being sought. These costs remain subject to full and complete refund and/or true-up.

ISSUE 11: Should the Commission approve DEF's proposed treatment for Bartow-Anclote Pipeline and Turner CT projects, as proposed in DEF's 2016 Estimated Actual and 2017 Projection Filings?

OPC: No position at this time.

ISSUE 12: Should the Commission approve revised tariffs reflecting the environmental cost recovery amounts and environmental cost recovery factors determined to be appropriate in this proceeding?

OPC: No position at this time.

E. STIPULATED ISSUES:

None.

F. PENDING MOTIONS:

None.

G. REQUESTS FOR CONFIDENTIALITY

Citizens have no pending requests for claims for confidentiality.

H. OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT

OPC has no objections to any witness' qualifications as an expert in this proceeding.

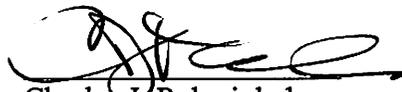
I. REQUIREMENTS OF ORDER

There are no requirements of the Order Establishing Procedure with which the Office of Public Counsel cannot comply.

Dated this 4th day of October, 2016.

Respectfully submitted,

JR Kelly
Public Counsel



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CERTIFICATE OF SERVICE
160007-EI

I HEREBY CERTIFY that a true and correct copy of the Office of Public Counsel's Prehearing Statement has been furnished by electronic mail on this 4th day of October, 2016, to the following:

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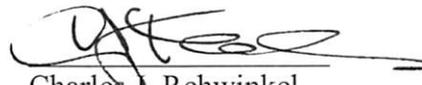
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