

**ORIGINAL  
FILE COPY**



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**STATE OF FLORIDA  
OFFICE OF THE PUBLIC COUNSEL**

**c/o The Florida Legislature  
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July 27, 1989

Steve Tribble, Director  
Records and Reporting  
Florida Public Service Commission  
Fletcher Building  
101 E. Gaines Street  
Tallahassee, FL 32399-0850

RE: Docket No. 890148-EI

Dear Mr. Tribble:

Enclosed for filing in the above-captioned proceeding on behalf of the Citizens of the State of Florida are an original and twelve copies of Citizen's Prehearing Statement.

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

Sincerely,

Janice Johnson

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1
- LIN 6
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- ~~SEC~~ 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

RECEIVED & FILED

T.B.  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

07552 JUL 27 1989

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of the Florida Industrial )  
Power Users Group to Discontinue Florida )  
Power and Light Company's Oil Backout Cost )  
Recovery Factor. )  
\_\_\_\_\_ )

Docket No. 890148-EI  
Filed: July 27, 1989

CITIZEN'S PREHEARING STATEMENT

The Office of Public Counsel, on behalf of the Citizens of the State of Florida, hereby submits its Prehearing Statement in the above docket.

Witness:

The Public Counsel will not call a witness.

Exhibits:

The Public Counsel has no exhibits to submit.

Statement of Basic Position:

The justification accepted by the Florida Public Service Commission when it first approved FPL's 500 kv transmission lines as an oil backout project pursuant to Rule 25-17.016, Florida Administrative Code, is no longer valid. Circumstances have changed such that the facts surrounding the transmission project are now outside the scope of the rule. The initial determination

of qualification under the rule was not, and could not be, binding for all future periods without regard to changed circumstances any more than a base rate proceeding conducted pursuant to relevant rules and statutes could be.

Issues of Fact, Policy and Law:

The Citizens' adopt and support the issue identified and positions taken by the Florida Industrial Power Users Group on its Issues 1, 2 and 4-17. Additionally, the following issue is offered:

Issue: Is FPL amortizing its investment tax credits at the appropriate rate where it utilizes a company-wide composite rate instead of one specifically related to the oil backout project?

Public Counsel's Position: FPL's use of a company-wide composite rate for amortization of ITCs associated with its oil backout project reduces the amortization of ITCs specifically associated with the project and increases the charges to customers.

Respectfully submitted,

  
John Roger Howe  
Assistant Public Counsel

Office of Public Counsel  
c/o Florida Legislature  
111 W. Madison Street  
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904/488-9330

Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**

**Docket No. 890148-EI**

I HEREBY CERTIFY that a true and correct copy of Citizen's Prehearing Statement has been furnished by U.S. Mail or by hand-delivery\* to the following parties on this 27th day of July, 1989.

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\_\_\_\_\_  
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