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JACK SHREVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, Florida 32399-1400
904-488-9330

February 13, 1995

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, FL 32399-0863

RE: Docket No. 950002-EG

Dear Ms. Bayo:

Enclosed please find the original and fifteen (15) copies of the Public Counsel's Prehearing Statement for filing in the above-referenced docket.

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.

- ACK
- AEA
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG Brady - 5
- LEG 1
- LIN 4
- OPC JRH/bgm
- OPC Enclosures
- RCH _____
- SEC 1
- WAS _____
- OTH _____

Sincerely,

John Roger Howe
Deputy Public Counsel

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01705 FEB 13 95

FPSC-RECORDS/REPORTING

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Conservation Cost Recovery)
Factor.)
_____)

DOCKET NO. 950002-EG
FILED: February 13, 1995

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-95-0066-PCO-EG, issued January 12, 1995, submit this Prehearing Statement.

APPEARANCES:

JOHN ROGER HOWE, Esquire, Deputy 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.

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

Generic Conservation Cost Recovery Issues

ISSUE 1: What is the final end-of-the-period true-up amount for the period October 1, 1993 through September 30, 1994?

OPC:

FPC : No position at this time.
FPL : No position at this time.
FPUC: Marianna: No position at this time.
 Fernandina: No position at this time.
GPC : No position at this time.
TECO: No position at this time.
CHESAPEAKE : No position at this time.
CITY GAS : No position at this time.
PEOPLES GAS : No position at this time.
ST. JOE : No position at this time.
WEST FLORIDA: No position at this time.

ISSUE 2: What are the appropriate conservation cost recovery factors for the period April 1995 through March 1996?

OPC:

FPC : No position at this time.
FPL : No position at this time.
FPUC: Marianna: No position at this time.
 Fernandina: No position at this time.
GPC : No position at this time.
TECO: No position at this time.
CHESAPEAKE : No position at this time.
CITY GAS : No position at this time.
PEOPLES GAS : No position at this time.
ST. JOE : No position at this time.
WEST FLORIDA: No position at this time.

ISSUE 3: Are all the utilities participating in the conservation cost recovery clause entitled to recover their advertising expenses incurred during the period October 1993 through September 1994?

OPC: No position at this time.

ISSUE 4: Should the Commission open a docket to establish standards for the energy claims made in advertisements and promotional literature related to ECCR? Some of the related variables are energy efficiency, energy consumption, equipment costs, etc.

OPC: No position at this time.

ISSUE 5: Should the electric utilities be permitted to recover the cost of their participation in the Conservation Goals Dockets through conservation cost recovery?

OPC: No position at this time.

Company-Specific Conservation Cost Recovery Issues

ISSUE 6: [FPC] Is Florida Power Corporation's calculation of 1.00035 for a revenue tax expansion correct?

OPC: No position at this time.

ISSUE 7: [FPC] Is it reasonable for Florida Power Corporation to petition the Commission in a cost recovery filing for permission to combine Residential Service and General Service Non-Demand cost recovery responsibilities into one average recovery factor?

OPC: No position at this time.

ISSUE 8: [FPL] Is Florida Power & Light Company's proposed methodology for disbursement of its \$30,390,729 refund from DOR for overcollection of gross receipts taxes on load management credits reasonable?

OPC: No position at this time.

ISSUE 9: [FPL] Should Florida Power & Light Company be allowed to recover approximately \$320,000 through the conservation Research and Development (CRD) Program for preliminary research of real time pricing.

OPC: No position at this time.

ISSUE 10: [GPC] Should Gulf Power Company be required to institute formal reviews of conservation payroll and vehicle expenses at all levels of the Company including review at the field sites in Pensacola, Ft. Walton, and Panama City.

OPC: No position at this time.

ISSUE 11: [GPC] Is it appropriate for Gulf Power Company to recover conservation costs for billboards which specifically advertise by name commercial customers who have good cents buildings?

OPC: No position at this time.

ISSUE 12: [TECO] Is Tampa Electric Company's proposed methodology for disbursement of its \$880,208 refund from Department of Revenue for overcollection of gross receipts taxes on load management credits reasonable?

OPC: No position at this time.

ISSUE 13: [TECO] Should Tampa electric Company be required to make an (\$340,562) adjustment to depreciation expense and return on investments for the True-up Period 10/93 through 9/94?

OPC: No position at this time.

ISSUE 14: [FPUC] Is it appropriate for Florida Public Utilities to recover conservation costs for public service advertisements attached to its conservation advertisements?

OPC: No position at this time.

ISSUE 15: [PGS] Should PGS be permitted to deduct allowable incentive payments from its General Service Agreements in lieu of providing a check to the participant?

OPC: No position at this time.

ISSUE 16: [PGS] Should PGS's incentive expense be reduced \$47,490 to remove allowance payments provided to builders who installed either water heating or home heating prior to May 1994 when the Commission approved PGS's program modification to permit allowance payments for a single appliance?

OPC: No position at this time.

E. STATEMENT OF LEGAL ISSUES AND POSITIONS: None at this time.

F. STATEMENT OF POLICY ISSUES AND POSITIONS: None at this time.

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.

Respectfully Submitted,

Jack Shreve
Public Counsel


John Roger Howe
Deputy Public Counsel

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Attorneys for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 950002-EG**

I HEREBY CERTIFY that a true and correct copy of the PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL has been furnished by *hand-delivery or by U.S. Mail to the following parties on this 13th day of February, 1995.

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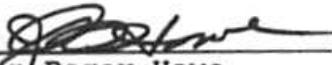
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