

8 1/2

Steel Hector & Davis
Tallahassee, Florida

Charles A. Guyton
(904) 222-3423

February 8, 1996

By Hand Delivery

**ORIGINAL
FILE COPY**

Blanca S. Bayó, Director
Records and Reporting
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, Florida 32399-0850

**Re: Conservation Cost Recovery Clause
Docket No. 960002-EG**

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company are the original and fifteen (15) copies of Florida Power & Light Company's Prehearing Statement in Docket No. 960002-EG.

If you or your Staff have any questions regarding this filing, please contact me.

Very truly yours,

Charles A. Guyton

Charles A. Guyton

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG *Hoff*
- LEG *1*
- LIN *3*
- OPC
- RCH
- SEC *1*

CAG/sh
encs.
TAL/14365
cc: All Parties of Record

RECEIVED & FILED
[Signature]
EPSC BUREAU OF RECORDS

Tallahassee Office
215 South Monroe
Suite 601
Tallahassee, FL 32301-1804
(904) 222-2300
Fax: (904) 222-8410

4000 Southeast Financial Center
Miami, FL 33131-2398
(305) 577-7000
Fax: (305) 358-1418

DOCUMENT NUMBER-DATE
01542 FEB-8 1996
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, FL 33401-6198
(407) 650-7200
Fax: (407) 650-1509
EPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Conservation Cost
Recovery Clause

)

)

Docket No. 960002-EG
Filed: February 8, 1995

FLORIDA POWER & LIGHT COMPANY'S
PREHEARING STATEMENT

Florida Power & Light Company ("FPL") hereby files its Prehearing Statement in Docket No. 960002-EG.

(a) The name of all known witnesses that may be called by the party, and the subject matter of their testimony:

| <u>Witness</u> | <u>Subject Matter</u> |
|----------------|--|
| F. A. Avello | Projection for April 1996 - March 1997, the Estimated True-Up for October 1995 - March 1996, and the Final True-Up for October 1994 - September 1995 |

(b) A description of all known exhibits that may be used by the party, whether they may be identified on a composite basis, and the witness sponsoring each:

FPL has prefiled two exhibits that should be identified separately.

| <u>Exhibit</u> | <u>Content</u> | <u>Sponsoring Witness</u> |
|----------------|-----------------------------|---------------------------|
| FAA-1 | Schedules CT-1 through CT-6 | F. A. Avello |
| FAA-2 | Schedules C-1 through C-5 | F. A. Avello |

(c) A statement of basic position in the proceeding:

FPL's proposed Conservation Cost Recovery Factors for the April 1996 through March 1997 recovery period and true-up amounts for prior periods should be approved.

(d) A statement of each question of fact the party considers at issue, the party's position on each such issue, and which of the party's witnesses will address the issue:

DOCUMENT NUMBER-DATE

01542 FEB-8 88

FPSC-RECORDS/REPORTING

General Issues

ISSUE 1: What is the final end-of-the-period true-up amount for the period October 1994 through September 1995?

FPL: \$5,400,404 overrecovery (Avello)

ISSUE 2: What are the appropriate conservation cost recovery factors for the period April 1996 through March 1997?

| <u>FPL:</u> | <u>Rate Class</u> | <u>ECCR Factor</u> | <u>Rate Class</u> | <u>ECCR Factor</u> |
|-------------|-------------------|--------------------|-------------------|--------------------|
| | RS1 | .00209 \$/kWH | SST1T | .00193 \$/kWH |
| | GS1 | .00206 \$/kWH | SST1D | .00142 \$/kWH |
| | GSD1 | .00174 \$/kWH | CILCD/CILCG | .00172 \$/kWH |
| | OS2 | .00164 \$/kWH | CILCT | .00157 \$/kWH |
| | GSLD1/CS1 | .00173 \$/kWH | MET | .00189 \$/kWH |
| | GSLD2/CS2 | .00175 \$/kWH | OL1/SL1 | .00111 \$/kWH |
| | GSLD3/CS3 | .00168 \$/kWH | SL2 | .00163 \$/kWH |
| | ISST1D | .00180 \$/kWH | | |

(Avello)

Company-Specific Issues

ISSUE 3: (FPC) Is \$17,746,531 the appropriate amount of overrecovery for the Revenue Decoupling true-up balance for 1995?

FPL: No position.

ISSUE 4: (FPC) Are the revisions to the "Proposed Adjustment to RPC for changes in Economic Condition" appropriate?

FPL: No position.

ISSUE 5: (FPC) Should Florida Power Corporation be allowed to defer for 60 days, with interest, its Revenue Decoupling true-up in order to petition the Commission for approval to apply the 1995 overrecovery from Revenue Decoupling towards reducing capacity payments to qualifying facilities instead of refunding the amount to ratepayers through the Energy Conservation Cost Recovery Clause?

FPL: No position.

- ISSUE 6:** (FPC) In the event that FPC fails to timely file the petition, or the petition is not granted, should FPC be required to refund the 1995 over-recovery from Revenue Decoupling, plus interest, during the remaining portion of the cost recovery period?
- FPL: No position.
- ISSUE 7:** (Gulf) Should the Commission grant Gulf Power Company's request to implement the Business Edge, a new conservation program?
- FPL: No position.
- ISSUE 8:** (Gulf) Should the Commission grant Gulf Power Company's request to change the method for allocating the costs of the Residential Advanced Energy Management (AEM) program from an energy basis to a demand basis?
- FPL: No position.
- ISSUE 9:** (Gulf) Should Gulf Power Company's final true-up amount be reduced to reflect expenses incurred in the In Concert With The Environment program prior to the Commission's approval of this program?
- FPL: No position.
- ISSUE 10:** (PGS) Is it appropriate for Peoples Gas System, Inc. to recover legal costs incurred in defense of its Commission approved conservation programs when challenged for cost-effectiveness by a competitive utility?
- FPL: No position.
- ISSUE 11:** (PGS) Is it appropriate for PGS to recover \$41,038 for outside consulting fees related to research conducted to forecast and monitor financial impact of their conservation programs?
- FPL: No position.
- ISSUE 12:** (PGS) Should PGS be allowed to recover costs incurred in Docket No. 941104-GU, related to the development of a demand-side management cost recovery methodology?
- FPL: No position.

(e) A statement of each question of law the party considers at issue and the party's position on each such issue:

FPL is not aware of any questions of law at issue.

(f) A statement of each policy question the party considers at issue, the party's position on each such issue, and which of the party's witnesses will address the issue:

FPL is not aware of any policy questions at issue.

(g) A statement of issues that have been stipulated to by the parties:

FPL is not aware of any stipulated issues, although it does not believe its true-ups and factors are contested..

(h) A statement of all pending motions or other matters the party seeks action upon:

FPL has no pending motions or other matters upon which it seeks action other than its pending petitions for approval of a final true-up and conservation cost recovery factors.

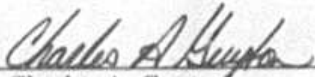
(i) A statement as to any requirement set forth in the Order On Prehearing Procedure that cannot be complied with, and the reasons therefor.

FPL has not received an Order Establishing Procedure for Docket No. 96000-EG. FPL believes it has complied with all requirements for orders regarding prehearing procedures issued in predecessor dockets.

Respectfully submitted,

STEEL HECTOR & DAVIS
215 S. Monroe St., Suite 601
Tallahassee, Florida 32301
(904) 222-2300

Attorneys for Florida
Power & Light Company

By: 
Charles A. Guyton

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Prehearing Statement was served by Hand Delivery (when indicated with an *) or mailed this 8th day of February, 1996 to the following:

Sheila L. Erstling, Esquire*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Gunter Building, Room 370
Tallahassee, Florida 32399-0850

Lee L. Willis, Esquire
James D. Beasley, Esquire
Macfarlane, Ausley, et al.
Post Office Box 39
Tallahassee, Florida 32302

Jeffrey A. Stone, Esquire
G. Edison Holland, Esquire
Beggs & Lane
Post Office Box 12950
Pensacola, Florida 32576-2950

Joseph A. McGlothlin, Esquire
Vicki Gordon Kaufman, Esquire
McWhirter, Reeves, et al.
117 South Gadsden Street
Tallahassee, Florida 32301

John W. McWhirter, Jr., Esquire
McWhirter, Reeves, et al.
Post Office Box 3350
Tampa, Florida 33601

Jack Shreve, Esquire
John Roger Howe, Esquire.
Office of Public Counsel
111 West Madison Street
Room 812
Tallahassee, Florida 32399

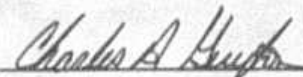
Kenneth A. Hoffman, Esquire
William B. Willingham, Esquire
Rutledge, Ecenia, Underwood,
Purnell & Hoffman
Post Office Box 551
Tallahassee, Florida 32302-0551

Robert Scheffel Wright, Esquire
Landers & Parsons
310 West College Avenue
Third Floor
Tallahassee, Florida 32301

Kenneth Gatlin, Esquire
Wayne L. Schiefelbein, Esquire
Gatlin, Woods, et al.
1709-D Mahan Drive
Tallahassee, Florida 32308

Debbie Stitt
Energy Conservation Analyst
St. Joe Natural Gas Company
Post Office Drawer 549
Port St. Joe, Florida 32456

James A. McGee, Esquire
Florida Power Corporation
Post Office Box 14042
St. Petersburg, Florida 33733


Charles A. Guyton