



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost )  
recovery clause. )  
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Docket No. 990007-EI

Filed: October 25, 1999

ORIGINAL

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through their attorney, the Public Counsel, hereby file this Prehearing Statement to identify all of the issues of which the Citizens are aware.

APPEARANCES:

STEPHEN C. BURGESS, Esquire  
Deputy Public Counsel  
Office of Public Counsel  
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

None necessary.

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

Generic Environmental Cost Recovery Issues

ISSUE 1: What are the appropriate final environmental cost recovery true-up amounts for the period ending December 31, 1998?

OPC: Agree with Staff.

DOCUMENT NUMBER-DATE  
13106 OCT 25 99  
FPSC-RECORDS/REPORTING

**ISSUE 2:** What are the estimated environmental cost recovery true-up amounts for the period January 1999 through December 1999?

**OPC:** Agree with Staff.

**ISSUE 3:** What are the total environmental cost recovery true-up amounts to be collected or refunded during the period January, 2000 through December, 2000?

**OPC:** Agree with Staff.

**ISSUE 4:** What are the appropriate projected environmental cost recovery amounts for the period January, 2000 through December, 2000?

**OPC:** Agree with Staff.

**ISSUE 5:** What should be the effective date of the environmental cost recovery factors for billing purposes?

**OPC:** No position at this time.

**ISSUE 6:** What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery true-up amounts to be collected?

**OPC:** Agree with Staff.

**ISSUE 7:** What are the appropriate Environmental Cost Recovery Factors for the period January, 2000 through December 2000, for each rate group?

**OPC:** Agree with Staff.

**ISSUE 8:** Should the Commission require utilities to petition for approval of recovery of new projects through the Environmental Cost Recovery Clause at least three months prior to the due date for projection filing testimony?

**OPC:** Agree with Staff.

**ISSUE 9:** Should the Commission set minimum filing requirements for utilities upon a petition for approval of recovery of new projects through the Environmental Cost Recovery Clause?

**OPC:** Agree with Staff.

**ISSUE 10:** What is the appropriate methodology for making an adjustment to ECRC project costs to reflect retirements or replacements of plant-in-service that are being recovered through base rates?

**OPC:** Agree with Staff.

**ISSUE 11:** Have the companies made the appropriate adjustments to remove ECRC project costs that are being recovered through base rates?

**OPC:** Agree with Staff.

### **Company - Specific Environmental Cost Recovery Issues**

#### **Florida Power & Light Company**

**ISSUE 12:** What effect does Florida Power & Light Company's stipulation have on the ECRC?

**OPC:** Agree with Staff.

**ISSUE 12A:** What adjustments, if any, should be made to the depreciation expense for the environmental compliance true-up?

**OPC:** Agree with Staff.

#### **Gulf Power Company**

**ISSUE 13:** Should the Commission approve Gulf Power Company's request for recovery of costs of the Gulf Coast Ozone Study project through the Environmental Cost Recovery Clause?

**OPC:** Agree with Staff.

**ISSUE 13A:** How should the newly proposed environmental costs for the Gulf Coast Ozone Study project be allocated to the rate classes?

**OPC:** Agree with Staff.

**ISSUE 13B:** Should the Commission approve Gulf Power Company's request for recovery of costs of the Mercury Emissions Information Collection Effort through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 13C:** How should the newly proposed environmental costs for the Mercury Emissions Information Collection Effort be allocated to the rate classes?

**OPC:** No position at this time.

**ISSUE 13D:** Should the Commission approve Gulf Power Company's request for recovery of costs of the Plant Smith Sodium Injection System project through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 13E:** How should the newly proposed environmental costs for the Plant Smith Sodium Injection System project be allocated to the rate classes?

**OPC:** No position at this time.

**ISSUE 13F:** What adjustment, if any, should be made to the Environmental Cost Recovery Clause to reflect an amount which may be in base rates for the costs of the underground fuel storage tanks which have been replaced by aboveground fuel storage tanks as reported in Audit Disclosure No. 1 of the Florida Public Service Commission's Environmental Cost Recovery Clause Audit Report for the Period Ended September 30, 1997?

**OPC:** Agree with Staff.

**ISSUE 13G:** Is Gulf in compliance with Order No. PSC-94-0044-FOF-EI, regarding the maintenance of separate subaccounts consistent with the Uniform System of Accounts for all items included in the environmental compliance cost recovery factor?

**OPC:** Agree with Staff.

### **Tampa Electric Company**

**ISSUE 14:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the Big Bend Unit 1 and 2 Flue Gas Desulfurization project through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 14A:** How should the newly proposed environmental costs for the Big Bend Unit 1 and 2 Flue Gas Desulfurization project be allocated to the rate classes?

**OPC:** No position at this time.

**ISSUE 14B:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the EPA Mercury Emission Information Collection Effort through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 14C:** How should the newly proposed environmental costs for the EPA Mercury Emission Information Collection Effort be allocated to the rate classes?

**OPC:** No position at this time.

**ISSUE 14D:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the Gannon Electrostatic Precipitator Optimization Study through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 14E:** How should the newly proposed environmental costs for the Gannon Electrostatic Precipitator Optimization Study be allocated to the rate classes?

**OPC:** No position at this time.

**ISSUE 14F:** What adjustments, if any, should be made to the ECRC to reflect the assets recovered through base rates that were replaced and retired in connection with the Big Bend CEM and Gannon Ignition Oil Tank ECRC projects?

**OPC:** Agree with Staff.

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,

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**CERTIFICATE OF SERVICE**  
**990007-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Public Counsel's Prehearing Statement has been furnished by U.S. Mail or hand-delivery (\*) on this 25th day of October, 1999, to the following:

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