

ORIGINAL

Matilda Sanders

From: Tim Perry [tperry@mac-law.com]
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To: Filings@psc.state.fl.us
Subject: Docket 040002-EG

- a. Timothy J. Perry, McWhirter Reeves, 117 S. Gadsden Street, Tallahassee, FL 32301, (850) 222-2525, tperry@mac-law.com is the person responsible for this electronic filing;
- b. The filing is to be made in Docket 040002-EG *In re: Energy Conservation Cost Recovery Clause*;
- c. The filing is made on behalf of the Florida Industrial Power Users Group;
- d. The total number of pages is 4; and
- e. Attached in Word and Adobe formats is The Florida Industrial Power Users Group's Prehearing Statement of Issues and Positions.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Energy Conservation Cost
Recovery Clause

Docket No. 040002-EG
Filed: October 18, 2004

**THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
PREHEARING STATEMENT OF ISSUES AND POSITIONS**

The Florida Industrial Power Users Group (FIPUG), pursuant to Order Nos. PSC-04-0290-PCO-EG and PSC-04-0962-PCO-EG, hereby files its Prehearing Statement.

A. APPEARANCES:

JOHN W. MCWHIRTER, JR., McWhirter Reeves McGlothlin Davidson Kaufman & Arnold, P.A., 400 North Tampa Street, Suite 2450, Tampa, Florida 33601-3350 and **VICKI GORDON KAUFMAN & TIMOTHY J. PERRY**, McWhirter Reeves McGlothlin Davidson Kaufman & Arnold, P.A., 117 South Gadsden Street, Tallahassee, Florida 32301.

On Behalf of the Florida Industrial Power Users Group.

B. WITNESSES:

None.

C. EXHIBITS:

None. However, FIPUG reserves the right to utilize appropriate exhibits during cross-examination.

D. STATEMENT OF BASIC POSITION:

None.

E. STATEMENT OF ISSUES AND POSITIONS:

GENERIC ENERGY CONSERVATION COST RECOVERY ISSUES

ISSUE 1: What are the appropriate final conservation cost recovery true-up amounts for the period January 2003 through December 2003?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 2: What are the appropriate conservation cost recovery factors for the period January 2005 through December 2005?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 3: What should be the effective date of the new conservation cost recovery factors for billing purposes?

FIPUG: The factors should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2005 through December 2005. Billing cycles may start before January 1, 2005, and the last cycle may be read after December 31, 2005, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

COMPANY SPECIFIC CONSERVATION COST RECOVERY ISSUES

Tampa Electric Company:

ISSUE 4: What is the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company for the period January 2005 through December 2005?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

Florida Public Utilities Company

ISSUE 5: What adjustments should be made to FPUC's current period true-up (January 2004 thru December 2004) in response to the staff's audit of FPUC conservation programs for the year ended December 31, 2003.

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

F. STIPULATED ISSUES:

None at this time.

G. PENDING MOTIONS:

FIPUG has no pending motions.

H. OTHER MATTERS:

None.

s/ Timothy J. Perry

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Attorneys for the Florida Industrial Power
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Florida Industrial Power Users Group's Prehearing Statement of Issues and Positions has been furnished by e-mail and U.S. Mail this 18th day of October 2004, to the following parties of record:

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