

Section 1 - Bureau of Records Completed

Docket No. 050316-EI Date Docketed: 05/06/2005 Title: Petition for approval of integrated Clean Air Regulatory Compliance Program for cost recovery through Environmental Cost Recovery Clause, by Progress Energy Florida, Inc.

Company: Progress Energy Florida, Inc.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
		X		X				

("O" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A3(d)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

0 Current CASR revision level

Due Dates

Previous Current

	1.			
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Staff Counsel	8.			
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Recommended assignments for hearing and/or deciding this case:	30.			
	31.			
	32.			
Full Commission _____ Commission Panel _____	33.			
Hearing _____ Staff _____	34.			
	35.			
Date filed with CCA: _____	36.			
	37.			
Initials OPR _____	38.			
Staff Counsel _____	39.			
	40.			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	

DOCUMENT NO.

12979-05

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

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Staff Assignments

OPR Staff

J Breman, J Harlow  
J Kyle, D Wheeler

Current CASR revision level

Due Dates

Previous Current

Staff Counsel

M Stern

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 05/23/2005

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

1.	Staff Recommendation	NONE	07/21/2005
2.	Agenda	NONE	08/02/2005
3.	PAA Order	NONE	08/22/2005
4.	Consummating Order if No Protest	NONE	09/15/2005
5.	Close Docket or Revise CASR	NONE	10/17/2005
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X							

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	
	X				

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Approved: BIB/BW  
Date: 05/23/2005

Section 1 - Bureau of Records Complete

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 Last Day to Suspend: \_\_\_\_\_

Referred to:

CCA	CMP	(ECR)	GCL	PIF	RCA	SCR	SGA
		X	X				

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Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

J Breman, J Harlow  
 J Kyle, D Wheeler

Current CASR revision level

Due Dates  
 Previous Current

Staff Counsel

M Stern

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
 Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 07/07/2005

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

1.	Staff Recommendation	07/21/2005	08/18/2005
2.	Agenda	08/02/2005	08/30/2005
3.	PAA Order	08/22/2005	09/19/2005
4.	Consummating Order if No Protest	09/15/2005	10/13/2005
5.	Close Docket or Revise CASR	10/17/2005	11/14/2005
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Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	ED	--		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	ED	--	
	X				

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Approved: 1313/Ans  
 Date: Pending 7/19/05

Section 1 - Bureau of Records Completes

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 Company: **Progress Energy Florida, Inc.**

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 Last Day to Suspend: \_\_\_\_\_

Referred to: \_\_\_\_\_  
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CCA	CMP	(ECR)	GCL	PIF	RCA	SCR	SGA
		X	X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

<b>Program Module</b> A3(d)	<b>WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION:(850) 413-6770</b>		
<b>Staff Assignments</b>			<b>Due Dates</b>
<b>OPR Staff</b>	<input checked="" type="checkbox"/> Current CASR revision level		<b>Previous      Current</b>
J Breman, J Harlow			
J Kyle, D Wheeler			
	1. Staff Recommendation	08/18/2005	09/08/2005
	2. Agenda	08/30/2005	09/20/2005
	3. PAA Order	09/19/2005	09/27/2005
	4. Consummating Order if No Protest	10/13/2005	10/19/2005
	5. Close Docket or Revise CASR	11/14/2005	11/30/2005
	6.		
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<b>Staff Counsel</b>	8.		
M Stern	9.		
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<b>OCRs</b>	12.		
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<b>Recommended assignments for hearing and/or deciding this case:</b>	31.		
	32.		
<b>Full Commission</b> <input checked="" type="checkbox"/> <b>Commission Panel</b> _____	33.		
<b>Hearing</b> _____ <b>Staff</b> _____	34.		
	35.		
<b>Date filed with CCA:</b> <u>08/11/2005</u>	36.		
	37.		
<b>Initials</b> OPR _____	38.		
Staff Counsel _____	39.		
	40.		

Section 3 - Chairman Completes Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	ED	--		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	ED	--	
	X				

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Approved: BBI/hw  
 Date: Pending 8/16/05

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON  
LISA POLAK EDGAR



DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ, DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

## Public Service Commission

May 9, 2005

Gary V. Perko, Esquire  
Hoping Green & Sams  
Post Office Box 6526  
Tallahassee, Florida 32314

**Re: Docket No. 050316-EI**

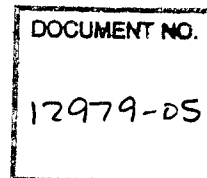
Dear Mr. Perko:

This will acknowledge receipt of a petition for approval of integrated Clean Air Regulatory Compliance Program for cost recovery through Environmental Cost Recovery Clause, by Progress Energy Florida, Inc., which was filed in this office on May 6, 2005, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

I:\Records\acklet-no-app.doc



**Kay Flynn**

050314

**From:** Jim Breman  
**Sent:** Tuesday, September 20, 2005 3:25 PM  
**To:** Kay Flynn; Judy Harlow; Jan Kyle; David Wheeler; Marlene Stern  
**Cc:** Hong Wang; Rose Thompson  
**Subject:** RE: Deferral regarding Docket No. 050316-EI, Item 17

I've learned that Item 17 was deferred at the request of a Commissioner. I'm not aware of any interested person or staff requesting the Item be deferred. So, to the best of my knowledge, there is no request to change the agenda conference. Sorry.

Jim.

---

**From:** Kay Flynn  
**Sent:** Tuesday, September 20, 2005 3:09 PM  
**To:** Jim Breman; Judy Harlow; Jan Kyle; David Wheeler; Marlene Stern  
**Cc:** Hong Wang; Rose Thompson  
**Subject:** RE: Deferral regarding Docket No. 050316-EI, Item 17

Also, we need to get the "request for change to agenda conference form" noting approval to defer, for the docket file. Can someone bring that to us?

Thanks.  
Kay

---

**From:** Rose Thompson  
**Sent:** Tuesday, September 20, 2005 3:06 PM  
**To:** Jim Breman; Judy Harlow; Jan Kyle; David Wheeler; Marlene Stern  
**Cc:** Kay Flynn; Hong Wang  
**Subject:** Deferral regarding Docket No. 050316-EI, Item 17  
**Importance:** High

- At the September 20, 2005 Commission Conference, the Commissioners deferred Docket No. 050316-EI, Item 17.
- Please advise whether this item is to be placed back on the October 4, 2005 conference with the same recommendation.
- If this item is to be placed on an agenda other than October 4, 2005, please file a revised CASR by September 27, 2005.

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
LISA POLAK EDGAR



DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

## Public Service Commission

September 26, 2005

Gary V. Perko, Esquire  
Hopping Green & Sams  
Post Office Box 6526  
Tallahassee, Florida 32314

**Re: Return of Confidential Document to the Source, Docket No. 050316-EI**

Dear Mr. Perko:

Commission staff have advised that Confidential Document No. 07279-05, filed on behalf of Progress Energy Florida, Inc. can be returned to the source. The document is enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay Flynn".

Kay Flynn, Chief  
Bureau of Records

KF/mhl  
Enclosure

cc: Marlene Stern, Office of the General Counsel  
Jim Breman, Division of Economic Regulation

SIGNED FOR BY

A handwritten signature in black ink, appearing to read "Daniel T. B...".

DATE

9/27/05

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)



**Public Service Commission**  
**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** October 10, 2005

**TO:** Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

**FROM:** Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

**RE:** DOCKET NO. 050316-EI, AGENDA HELD 10/04/05.

---

re: PETITION FOR APPROVAL OF INTEGRATED CLEAN AIR REGULATORY COMPLIANCE PROGRAM FOR COST RECOVERY THROUGH ENVIRONMENTAL COST RECOVERY CLAUSE, BY PROGRESS ENERGY FLORIDA, INC.

DOCUMENT No: 09696-05, 10/10/05

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR

Acknowledged BY:

A handwritten signature in black ink, appearing to be "JF", written over a horizontal line.

JF/rlm



ORIGINAL

RECEIVED-PPSC

APR 26 AM 9:17

050316-ET

COMMISSION  
CLERK

*We feel this is unfair,  
to the customer.*

*Thank You,*



Harry & June Himes  
Sugarmill Woods  
198 Pine St.  
Homosassa, FL 34446-4659

GAINESVILLE/GNV  
FL 326 1 T  
24 APR 2006 PM



*State of Florida  
Public Service Commission  
2540 Sheppard Oaks Blvd  
Tallahassee, Fl. 32399-0850*

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- SEC \_\_\_\_\_
- DTH \_\_\_\_\_

# Customers shouldn't pay for clean air

Progress Energy is a regulated utility because it is a monopoly that provides an essential service. Regulations passed by the U.S. Environmental Protection Agency (EPA) in March 2005 require that the Crystal River Energy Complex take steps to diminish pollutants.

One of two related regulations will permanently cap emissions of sulfur dioxide and nitrogen oxides. The deadlines on implementation begin in 2009.

When fully implemented, the rule will result in a reduction of sulfur dioxide emissions by more than 70 percent in affected areas and nitrogen oxide emissions by more than 60 percent from 2003 levels. The EPA, referring to the regulations when applied throughout 28 states, said, "This will result in \$85 (billion) to \$100 billion in health benefits and nearly \$2 billion in visibility benefits per year by 2015 and will substantially reduce premature mortality in the eastern United States."

The second and companion new rule is the Clean Air Mercury Rule that will permanently cap and reduce mercury emissions from coal-fired power plants for the first time. The EPA said this rule makes the United States the first country in the world to regulate mercury emissions from utilities.

A collective "it's about time," might be heard reverberating around the nation. Both rules will directly affect the Progress Energy's Crystal River operation and the first will also impact the company's Anclote plant.

The problem is that Progress Energy wants its 1.5 million customers who rely on this essential monopoly to pay an estimated \$736 million for cleaning up what it's putting out in the environment that could hurt them — for example, from the Crystal River site, 11 million pounds of hydrochloric acid annually, 240,000 pounds of sulfuric acid mist, 530 pounds of mercury compounds, 10,000 pounds of arsenic compounds, as well as a few others.

The fact that a utility would petition the Public Service Commission (PSC) to be reimbursed for cleaning up the dangerous byproducts of their pro-

duction activities might be understandable from the point of view of stockholders and their profits, but it is not acceptable from the point of view of the ratepayers.

Are customers to bear the whole burden of protecting the health and welfare of all citizens and the environment from the company's dangerous byproducts?

The costs should be considered part of the price of doing business. If this was a regulation that put a company at a competitive disadvantage, that might

play into the argument, but that's not the case. In fact, the absence of competition creates a situation in which the company isn't continually pressed like other businesses to be ever-increasingly more efficient and innovative in finding ways to save money to keep a competitive position in the marketplace.

It's a lot easier to lobby the PSC to pass on the costs.

Yes, Progress Energy is regulated in what it can charge, but there should never be an assumption that costs due to regulation should be automatically passed on to the consumers.

The request comes on top of the latest 12 percent increase due to fuel prices. Consumers struggle to pay their power bills and their escalating fuel bills. They don't get a subsidy for higher fuel prices to protect their budgets; they have to save that money somewhere else.

The company needs to convince ratepayers it is struggling to absorb the costs of producing cleaner electricity with innovative business techniques, and new technology and customers have to hope the PSC will ask the company to show cause of that.

It would be a particularly community-friendly move for Progress Energy to go beyond the minimum standards to protect the health of residents and the environment — not just doing what's legally required by a deadline.

Should Progress Energy demonstrate that initiative, ratepayers might be willing to partner with the company for air quality that doesn't threaten their health in return for electricity.

**THE ISSUE:**

Progress Energy request for compliance reimbursement.

**OUR OPINION:**

Company should be responsible for costs.

YOUR OPINION: Go to [chronicleonline.com](http://chronicleonline.com) to comment about today's Chronicle editorial.