

Matilda Sanders

060644-TL

From: ROBERTS.BRENDA [ROBERTS.BRENDA@leg.state.fl.us]
Sent: Monday, December 11, 2006 9:41 AM
To: Filings@psc.state.fl.us
Cc: Allison Hicks; Ben Poag; Charles Rehwinkel; Jason Fudge; Matthew Feil; Patrick Wiggins; Susan S. Masterton; Vicki Gordon Kaufman
Subject: e-filing (Dkt. 060644-TL)
Attachments: 060644 OPC Prehearing Statement.sversion.doc

ORIGINAL

Electronic Filing

a. Person responsible for this electronic filing:

Charles J. Beck, Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
(850) 488-9330
beck.charles@leg.state.fl.us

b. Docket No. 060644-TL

In re: Petition by Embarg Florida Inc. to Recover 2005 Tropical System Related Costs and Expenses.

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of 5 pages.

e. The document attached for electronic filing is Citizens' Prehearing Statement.

(See attached file: 060644.nos.sversion.doc)

Thank you for your attention and cooperation to this request.

Brenda S. Roberts
Secretary to Charles J. Beck, Deputy Public Counsel.
Office of Public Counsel
Telephone: (850) 488-9330
Fax: (850) 488-4491

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DOCUMENT NUMBER-DATE

11296 DEC 11 06

FPSC-COMMISSION CLERK

12/11/2006

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by Embarq Florida Inc.)
to Recover 2005 Tropical System)
Related Costs and Expenses)

Docket No. 060644-TL
Filed: December 11, 2006

CITIZENS' PREHEARING STATEMENT

Pursuant to order no. PSC-06-0850-PCO-TL issued October 11, 2006 and order no. PSC-06-0981-PCO-TL issued November 28, 2006, the Citizens of Florida (Citizens or OPC), by and through Harold McLean, Public Counsel, file this prehearing statement.

Witnesses

None.

Prefiled Exhibits

None.

Statement of Basic Position

The Commission should use an incremental cost approach for storm cost recovery. Use of an incremental cost approach is necessary in order to ensure that any storm surcharge approved by the Commission does not pay for costs that are already recovered through basic telephone rates. It appears that Embarq Florida has followed an incremental cost approach in this case.

DOCUMENT NUMBER-DATE

11296 DEC 11 06

FPSC-COMMISSION CLERK

Issues and Positions

Issue 1: What is the appropriate amount of intrastate costs and expenses related to damage caused during the 2005 tropical storm season, if any, that should be recovered by Embarq, pursuant to Section 364.051(4), Florida Statutes??

Citizen's Position: No position at this time.

Issue 2(a): What is the appropriate type and number of retail access lines, basic and non basis, to which any storm damage recovery may be assessed?

Citizen's Position: No position at this time.

Issue 2(b): Is a line item charge on Embarq's wholesale UNE loop appropriate pursuant to Section 364.051(4)(b)(6), Florida Statutes and Federal Law? If yes, on which types of lines should the charge be assessed and how should the lines be counted? What is the total number of UNE loops to be assessed, if any

Citizen's Position: No position at this time.

Issue 3: What is the appropriate line item charge per access line, if any

Citizen's Position: No position at this time.

Issue 4: If a line item charge is approved in Issue 3, on what date should the charge become effective and on what date should the charge end?

Citizen's Position: No position at this time.

Issue 5: Should the docket be closed?

Citizen's Position: No. position at this time.

Stipulated Issues

Citizens have not stipulated to any issues.

Pending Motions

Citizens have no pending motions at this time.

Pending Requests or Claims for Confidentiality

Citizens have no pending requests or claims for confidentiality.

Objections to Qualifications of Witnesses as Experts

Citizens do not expect to challenge the qualifications of any witness.

Requirements of Order Establishing Procedure

Citizens believe that we have complied with the requirements of the order establishing procedure.

Respectfully submitted,

HAROLD MCLEAN
PUBLIC COUNSEL

s/ Charles J. Beck
Charles J. Beck
Deputy Public Counsel
Fla. Bar No. 217281

Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street
Room 812
Tallahassee, FL 32399-1400

(850) 488-9330

Attorney for Florida's Citizens

**DOCKET NO. 060644-TL
CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.
Mail or electronic mail to the following parties on this 11th day of December, 2006.

s/ Charles J. Beck
Charles J. Beck

Jason Fudge
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Patrick K. Wiggins
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Susan S. Masterton
Embarq Florida, Inc.
1313 Blairstone Road
Tallahassee, FL 32301

Charles J. Rehwinkel
State Vice President – Florida
Embarq Corporation
FLTHZO501
315 S. Calhoun St., Ste 500
Tallahassee, FL 32301

Ben Poag
Embarq Florida, Inc.
P.O. Box 2214
Tallahassee, FL 32301

Vickie Gordon Kaufman
c/o Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301

Matthew Feil
General Counsel
Allison Hicks
Assistant General Counsel
FDN Communications
2301 Lucien Way, Suite 200
Maitland, FL 32751