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From: John W McWhirter [jmcwhirter@mac-law.com]
Sent: Thursday, December 14, 2006 10:57 PM
To: Filings@psc.state.fl.us
Subject: FW: FIPUG preliminary list of issues Docket 060642-EI
Attachments: 061214 FIPUG preliminary list of issues.doc

060642-EI

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Sent: Thursday, December 14, 2006 4:36 PM
To: Alex.Glenn; Harold McLean; Joe McGlothlin; John Office McWhirter ; JWalls@CarltonFields.com; Lisa Bennett; Mike Twomey; Patty Christensen, Esq.; Schef Wright
Subject: FIPUG preliminary list of issues Docket 060642-EI

- 1. John W. McWhirter, Jr., McWhirter Reeves & Davidson, P.A., 400 N. Tampa St. Tampa, Fl 33602, jmcwhirter@mac-law.com is the person responsible for this electronic filing;
2. The filing is to be made in Docket 060642-EI, In re: Progress Energy Certificate of Need et al The filing is made on behalf of the Florida Industrial Power Users Group;
3. The total number of pages is 2; and
4. The attached document is The Florida Industrial Power User Group's Preliminary list of issues.

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12/15/2006

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DOCUMENT NUMBER-DATE

11464 DEC 15 06

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for determination of need for expansion of Crystal River 3 nuclear power plant, for exemption from Bid Rule 25-22.082, F.A.C., and for cost recovery through fuel clause, by Progress Energy Florida)

Docket No.: 060642-EI

Submitted for filing December 14, 2006

THE FLORIDA INDUSTRIAL POWER USERS GROUP'S PRELIMINARY LIST OF ISSUES

Florida Industrial Power User's Group through its undersigned attorney files this preliminary list of Issues.

ISSUE 1: Should PEF's request for exemption be granted?

FIPUG POSITION: Yes

ISSUE 2 Is there a need for the uprate?

FIPUG POSITION: Yes

ISSUE 3: Is the estimated cost reasonable?

FIPUG POSITION: No Position at this time.

ISSUE 4: Will the uprate provide fuel diversity and reliability?

FIPUG POSITION: Yes as to diversity, no position as to reliability.

ISSUE 5: Is conservation a viable substitute?

FIPUG POSITION: No

ISSUE 6: Is the uprate the most cost effective alternative?

FIPUG POSITION: Yes based upon the presently unrebutted testimony of PEF

ISSUE 7: Should the determination of need be granted?

FIPUG POSITION: Yes, subject to proof of prudent expenditure.

ISSUE 8: Will the uprate provide fuel savings by displacing present gas fired generation?

FIPUG POSITION: No.

ISSUE 9: Should the Public Service Commission allow uprate capital costs to be recovered through the fuel clause?

FIPUG POSITION: No.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing The Florida Industrial Power Users Group's Petition to Intervene has been furnished by electronic mail and U.S. Mail the 14th day of December 2006, to the following:

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