

**Ruth Nettles**

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**From:** Woods, Vickie [vf1979@att.com]  
**Sent:** Friday, September 14, 2007 3:44 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** 070297/070298/070299/070301-EI AT&T Florida's Prehearing Statement  
**Importance:** High  
**Attachments:** AT&T\_Pre.pdf; LEGAL-#690154-v1-ATT\_Florida\_Prehearing\_Statement\_\_IOUs\_Storm\_Hardening\_Docket.DOC

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B. Docket No. 070297-EI: Review of 2007 Electric Infrastructure Storm Hardening Plan

filed pursuant to Rule 25-6.0342, FAC, submitted by Tampa Electric Company

Docket No. 070298-EI: Review of 2007 Electric Infrastructure Storm Hardening Plan

filed pursuant to Rule 25-6.0342, FAC, submitted by Progress Energy Florida, Inc.

Docket No. 070299-EI: Review of 2007 Electric Infrastructure Storm Hardening Plan

filed pursuant to Rule 25-6.0342, FAC, submitted by Gulf Power Company

Docket No. 070301-EI: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, FAC, submitted by Florida Power & Light Company

C. AT&T Florida  
 on behalf of Jennifer S. Kay

D. 9 pages total (.pdf.) (includes letter, certificate of service and pleading)  
 5 pages total (.word doc.)

E. BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Prehearing Statement

.pdf .word doc.

<<AT&T\_Pre.pdf>> <<LEGAL-#690154-v1-ATT\_Florida\_Prehearing\_Statement\_\_IOUs\_Storm\_Hardening\_Docket.DOC>>

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9/14/2007

DOCUMENT NUMBER-DATE

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September 14, 2007

Ms. Ann Cole  
Commission Clerk  
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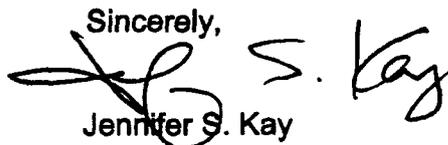
Re: **Docket No. 070297-EI**: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, FAC, submitted by Tampa Electric Company  
**Docket No. 070298-EI**: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, FAC, submitted by Progress Energy Florida, Inc.  
**Docket No. 070299-EI**: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, FAC, submitted by Gulf Power Company  
**Docket No. 070301-EI**: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, FAC, submitted by Florida Power & Light Company

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Prehearing Statement, which we ask that you file in the captioned dockets.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,



Jennifer S. Kay

cc: All Parties of Record  
Jerry D. Hendrix  
E. Earl Edenfield, Jr.  
James Meza III

**CERTIFICATE OF SERVICE**  
**Docket Nos. 070297-EI, 070298-EI, 070299-EI and 070301-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Electronic Mail, (\*) Facsimile and First Class U. S. Mail this 14<sup>th</sup> day of September,  
2007 to the following:

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Jennifer S. Kay

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Tampa Electric Company.

DOCKET NO. 070297-EI

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Progress Energy Florida, Inc.

DOCKET NO. 070298-EI

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Gulf Power Company.

DOCKET NO. 070299-EI

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Florida Power & Light Company.

DOCKET NO. 070301-EI

Filed: September 14, 2007

**AT&T FLORIDA'S PREHEARING STATEMENT**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"), in compliance with the Order Consolidating Dockets and Establishing Procedure (Order No. PSC-07-0573-PCO-EI) issued on July 10, 2007, hereby submits its Prehearing Statement for Docket Nos. 070297-EI, 070298-EI, 070299-EI and 070301-EI (the "Consolidated Dockets").

**A. Witnesses**

AT&T Florida proposes to call the following witness to offer testimony on the issues in the Consolidated Dockets:

Kirk Smith - AT&T Florida filed the Direct Testimony of Kirk Smith to explain the Process to Engage Third-Party Attachers (attached to the Testimony as Exhibit KS-1) and

its value. In an abundance of caution, to the extent the Process to Engage Third-Party Attachers is deemed relevant to any or all of Issues 1-52, AT&T Florida offers Kirk Smith's Testimony for those issues.

AT&T Florida reserves the right to call additional witnesses to respond to Florida Public Service Commission ("Commission") inquiries, to issues raised by Florida Power & Light Company ("FPL"), Gulf Power Company ("GULF"), Progress Energy Florida, Inc. ("PEF"), Tampa Electric Company ("TECO") (collectively referred to as the "IOUs") in their rebuttal testimony (which has not been filed), to issues not raised in AT&T Florida direct testimony, and to address issues not designated that may be designated by the Prehearing Officer at the prehearing conference to be held on September 21, 2007. Accordingly, AT&T Florida reserves the right to supplement and revise this list as appropriate.

#### **B. Exhibits**

- \* KS-1 attached to Direct Testimony of Kirk Smith  
Process to Engage Third-Party Attachers
- \* AT&T Florida's responses to discovery issued by Staff and any other party, including, but not limited to, Municipal Underground Utilities Consortium's ("MUUC") First Set of Interrogatories and First Request for Production of Documents, and Staff's First Set of Interrogatories.
- \* All responses filed by any party in response to discovery issued by Staff or any other party.
- \* Staff's responses to discovery issued by any party.
- \* All transcripts of any deposition that may take place prior to the discovery cut-off date.

AT&T Florida expressly reserves the right to file exhibits to any testimony that may be filed under the circumstances identified in Section "A" above. AT&T Florida expressly reserves the right to utilize any exhibits introduced by any party or Staff and

the right to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida Rules of Evidence and Rules of this Commission.

**C. Statement of Basic Position**

As a result of cooperative, good faith negotiations, AT&T Florida, TCG South Florida, Inc., Verizon Florida, LLC, Embarq Florida, Inc., Florida Cable Telecommunications Association and the IOUs have reached an agreement wherein these parties have committed that they will support the jointly developed terms and conditions contained in the Process to Engage Third-Party Attachers, a copy of which is attached to Kirk Smith's Direct Testimony as Exhibit KS-1.

In addition, based on AT&T Florida's review of the project details that the IOUs have included in their respective Storm Hardening Plans filed with the Commission on May 7, 2007 (the "Plans"), and with the agreement between the above-referenced parties to support the Process to Engage Third-Party Attachers, AT&T Florida has no objections to the IOUs' respective Plans at this time. AT&T Florida has filed testimony to explain the Process to Engage Third-Party Attachers and its value. AT&T Florida respectfully requests that the Commission approve the Process to Engage Third-Party Attachers in its Order in these Consolidated Dockets.

**D. AT&T Florida's Position on the Issues**

As previously stated, based on AT&T Florida's review of the project details that the IOUs have included in their respective Plans and with the agreement between the parties referenced in Section "C" above to support the Process to Engage Third-Party Attachers, AT&T Florida takes no position on Issues 1 through 52 at this time. AT&T Florida reserves the right to raise objections regarding an IOU's Plan as AT&T Florida

receives more detailed information about specific projects, as contemplated by Rule 25-06342(7) and the Process to Engage Third-Party Attachers.

**E. AT&T Florida's Notice of Intent to Use Confidential Information at Hearing**

As of the date of this filing, AT&T Florida has no plans to use confidential information at the hearing. To the extent that AT&T Florida provides confidential information in responses to discovery requests not yet filed, AT&T Florida will file a supplement to this Joint Prehearing Statement to identify such information. AT&T Florida reserves the right to use any such information at hearing, subject to appropriate measures to protect its confidentiality.

**F. Stipulations**

As indicated in Section "C" above, AT&T Florida, TCG South Florida, Inc., Verizon Florida, LLC, Embarq Florida, Inc., Florida Cable Telecommunications Association and the IOUs have reached an agreement wherein these parties have committed that they will support the jointly developed terms and conditions contained in the Process to Engage Third-Party Attachers. On Friday, September 7, 2007, counsel for AT&T Florida sent an email to the remaining parties of record, asking them to respond as to whether they had any objections to the Process to Engage Third-Party Attachers by Wednesday, September 12, 2007. To date, AT&T Florida has not received comments or objections from the remaining parties of record. AT&T Florida will contact these parties to determine if consensus on the Process to Engage Third-Party Attachers can be reached prior to the prehearing conference scheduled for September 21, 2007.

**G. Pending Motions**

AT&T Florida is not aware of any pending motions in this proceeding.

**H. Objections to Witness Qualifications**

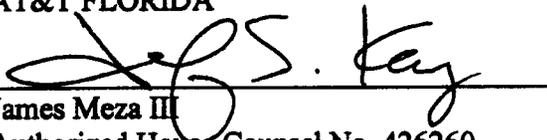
AT&T Florida is unable to address witness qualifications at this time, since no party has designated a witness as an expert. AT&T Florida expressly reserves the right to object to a witness' qualifications should a party or Staff designate a witness as an expert.

**I. Other Requirements**

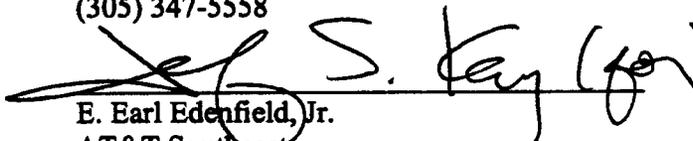
AT&T Florida does not know of any requirement of the Order Establishing Procedure with which it cannot comply.

Respectfully submitted this 14th day of September, 2007.

AT&T FLORIDA



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