

**Ruth Nettles**

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**From:** Woods, Vickie [vf1979@att.com]  
**Sent:** Friday, September 14, 2007 3:55 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** 070297/070298/070299/070301-EI TCG's Prehearing Statement  
**Importance:** High  
**Attachments:** TCG\_Preh.pdf; LEGAL-#690541-v1-TCG's\_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 TCG South Florida, Inc.'s Prehearing Statement

.pdf .word doc.

DOCUMENT NUMBER-DATE  
08403 SEP 14 2007  
FPSC-COMMISSION CLERK

<<TCG\_Preh.pdf>> <<LEGAL-#690541-v1-TCG's\_Prehearing\_Statement\_\_IOUs\_Storm\_Hardening\_Docket.DOC>>

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9/14/2007

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September 14, 2007

Ms. Ann Cole  
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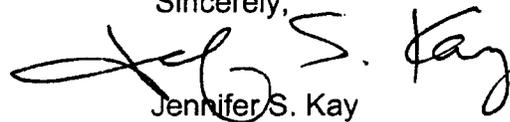
Re: **Docket No. 070297-EI**: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, FAC, submitted by Tampa Electric Company  
**Docket No. 070298-EI**: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, FAC, submitted 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 TCG South Florida, Inc.'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

**TCG'S PREHEARING STATEMENT**

TCG South Florida, Inc. ("TCG"), 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 No. 070297-EI.

**A. Witnesses**

TCG proposes to call the following witness to offer testimony on the issues in this docket:

Kirk Smith - TCG 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 1-13, TCG offers Kirk Smith's Testimony for those issues.

TCG reserves the right to call additional witnesses to respond to Florida Public Service Commission ("Commission") inquiries, to issues raised by Tampa Electric Company ("TECO") in its rebuttal testimony (which has not been filed), to issues not raised in TCG 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, TCG 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
- \* 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.

TCG expressly reserves the right to file exhibits to any testimony that may be filed under the circumstances identified in Section "A" above. TCG 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, TCG and TECO, joined by BellSouth Telecommunications, Inc. d/b/a AT&T Florida, Verizon Florida, LLC, Embarq

Florida, Inc., Florida Cable Telecommunications Association, Florida Power & Light Company, Gulf Power Company and Progress Energy Florida, Inc., 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 TCG's review of the project details that TECO has included in its Storm Hardening Plan filed with the Commission on May 7, 2007 (the "Plan"), and with the agreement between the above-referenced parties to support the Process to Engage Third-Party Attachers, TCG has no objections to TECO's Plan at this time. TCG has filed testimony to explain the Process to Engage Third-Party Attachers and its value. TCG respectfully requests that the Commission approve the Process to Engage Third-Party Attachers in its Order in this docket.

**D. TCG's Position on the Issues**

As previously stated, based on TCG's review of the project details that TECO has included in its Plan and with the agreement between the parties referenced in Section "C" above to support the Process to Engage Third-Party Attachers, TCG takes no position on Issues 1 through 13 at this time. TCG reserves the right to raise objections regarding TECO's Plan as TCG receives more detailed information about specific projects, as contemplated by Rule 25-06342(7) and the Process to Engage Third-Party Attachers.

**E. TCG's Notice of Intent to Use Confidential Information at Hearing**

As of the date of this filing, TCG has no plans to use confidential information at the hearing.

#### **F. Stipulations**

As indicated in Section "C" above, TCG, TECO, BellSouth Telecommunications, Inc. d/b/a AT&T Florida, Verizon Florida, LLC, Embarq Florida, Inc., Florida Cable Telecommunications Association, Florida Power & Light Company, Gulf Power Company, and Progress Energy Florida, Inc. 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 TCG and 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, TCG and AT&T Florida have not received comments or objections from the remaining parties of record. TCG and 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**

TCG is not aware of any pending motions in this proceeding.

#### **H. Objections to Witness Qualifications**

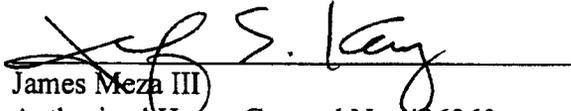
TCG is unable to address witness qualifications at this time, since no party has designated a witness as an expert. TCG expressly reserves the right to object to a witness' qualifications should a party or Staff designate a witness as an expert.

**I. Other Requirements**

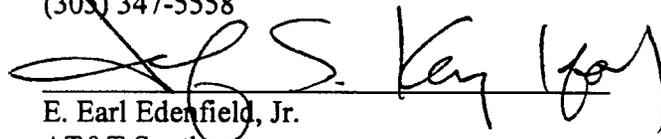
TCG does not know of any requirement of the Order Establishing Procedure with which it cannot comply.

Respectfully submitted this 14th day of September, 2007.

TCG SOUTH FLORIDA, INC.



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Authorized House Counsel No. 426260  
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