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March 17, 2008

Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
08 MAR 17 PM 12:01  
COMMISSION  
CLERK

Re: *Progress Energy Florida's Prehearing Statement to be filed in Docket No. 070235-EQ*

Dear Ms. Cole:

Enclosed please find an original and seven copies of Progress Energy Florida's Prehearing Statement, to be filed Docket No. 070235-EQ.

CMP 2 Copies have been served to all other parties and staff, as shown on the Prehearing Statement's Certificate of Service, in accordance with Order No. PSC-07-0962-PCO-EQ.

- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL 2
- OPC \_\_\_\_\_
- RCA 1
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

Sincerely,

Lisa C. Scoles

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for approval of renewable energy tariff standard offer contract, by Florida Power & Light Company.

DOCKET NO. 070234-EQ

In re: Petition for approval of standard offer contract for purchase of firm capacity and energy from renewable energy producer or qualifying facility less than 100 kW tariff, by Progress Energy Florida, Inc.

DOCKET NO. 070235-EQ

In re: Petition for approval of standard offer contract for small qualifying facilities and producers of renewable energy, by Tampa Electric Company.

DOCKET NO. 070235-EQ

070236-EQ

adm

**Filed: March 17, 2008**

**PROGRESS ENERGY FLORIDA'S**  
**PREHEARING STATEMENT**

Progress Energy Florida ("PEF"), pursuant to the Order Establishing Procedure and Consolidating Dockets, hereby submits its Prehearing Statement and represents as follows:

**1. Witnesses:**

Mr. David Gammon has prefiled testimony on behalf of PEF regarding the structure and history of PEF's Standard Offer Contract, why certain terms and conditions are included in PEF's current Standard Offer Contract, and in rebuttal to assertions made by Mr. Martin Marz, witness for PCS White Springs Agricultural Chemicals, Inc. d/b/a/ PCS Phosphate – White Springs.

**2. Exhibits:**

PEF has filed no prefiled exhibits. Other exhibits that may be used by PEF in presenting its direct case include a copy of PEF's current Standard Offer Contract, previously-approved versions of PEF's Standard Offer Contract, and the Public Service

DOCUMENT NUMBER-DATE

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FLORIDA PUBLIC SERVICE COMMISSION CLERK

Commission's ("PSC" or "Commission") Standard Offer Contract rules. Additional exhibits may be identified at a later date.

3. **Statement of the Basic Position:**

The Commission's Standard Offer Contract rules promote renewable generation, as does PEF's Standard Offer Contract, which complies with those rules. The Standard Offer Contract is a contract that PEF must offer and be obligated under without any negotiation. The Standard Offer Contract cannot and should not attempt to encompass all terms and provisions desired by a particular renewable generator. Additional or different provisions, which are tailored to a particular renewable generator's needs, can be negotiated, using the Standard Offer Contract as a baseline to begin negotiations.

4. **Statement of Issues and Positions:**

**ISSUE #1: Is the Standard Offer Contract filed by Progress Energy Florida on April 2, 2007, in compliance with Rules 25-17.200 through 25-17.310, Florida Administrative Code?**

**PEF:** Yes, PEF's Standard Offer Contract complies with the Commission's Standard Offer Contract rules, Rules 25-17.200 through 25-17.310, Florida Administrative Code. In order to comply with the 2006 changes to the Standard Offer Contract rules made by the Commission to further encourage renewable generation, PEF made numerous changes to its Standard Offer Contract. In addition, based on conversations with renewable generators, PEF changed its Standard Offer Contract to reduce the maximum number of capacity tests from six times per year to two. Most of the remaining provisions in PEF's Standard Offer Contract remain unchanged from previous years and have been previously considered and approved by the Commission.

5. **Statement of Stipulated Issues:**

None at this time.

6. **Statement of Pending Motions:**

None at this time.

7. **Statement Identifying Pending Requests or Claims for Confidentiality:**

None at this time.

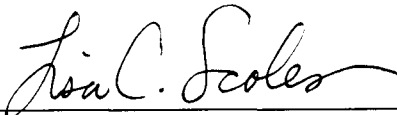
8. **Objections to Expert Witness' Qualifications:**

None at this time.

9. **Statement of Non-compliance:**

None at this time.

Respectfully submitted,



Susan F. Clark

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**Attorneys for Progress Energy Florida, Inc.**

**CERTIFICATE OF SERVICE**

I CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery or U.S. Mail this 17<sup>th</sup> day of March 2008, to the following:

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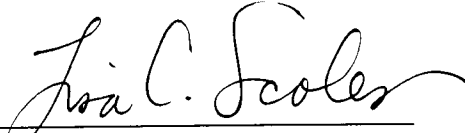
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\_\_\_\_\_  
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