

Dorothy Menasco

From: ljacobs50@comcast.net
Sent: Friday, April 18, 2008 4:58 PM
To: Filings@psc.state.fl.us
Cc: 'mwalls@carltonfields.com'; 'charles.gauthier@dca.state.fl.us'; 'paul.lewisjr@pgnmail.com';
'Mike.Halpin@dep.state.fl.us'; 'john.burnett@pgnmail.com'; 'Kelly.jr@leg.state.fl.us'; Jay Brew;
'burgess.steve@leg.state.fl.us'; 'alex.glenn@pgnmail.com'; 'dtriplett@carltonfields.com'; Caroline Klancke;
Jean Hartman; Katherine Fleming; 'MInimushomines@aol.com'; 'KSTorain@potashcorp.com'; Al Taylor
Subject: Docket No. 080148-EI Southern Alliance for Clean Energy Proposed List of Issues
Attachments: SACE stmt of issues.doc

With apologies. Attachment included here.

a. Person responsible for filing:

E. Leon Jacobs, Jr.
Williams & Jacobs
1720 S. Gadsden St. MS 14
Tallahassee, Fl 32301
850-222-1246
850-599-9079 fax
ljacobs50@comcast.net

b. Docket No. 080148-EI Petition for determination of need for Levy Units 1 and 2 nuclear power plants, by Progress Energy, Florida, Inc.

c. Filed on behalf of the Southern Alliance for Clean Energy, Inc.

d. Total pages = 4

e. Proposed List of Issues of The Southern Alliance for Clean Energy ; cover letter

WILLIAMS, JACOBS, & ASSOCIATES

ATTORNEYS AT LAW
1720 S. GADSDEN ST. MS 14
TALLAHASSEE, FL 32301

MOSES WILLIAMS, ESQ.

E. LEON JACOBS, JR., ESQ.

April 18, 2008

Ann Cole
Director, Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850

RE: Docket No. 080148-EI

Dear Ms. Cole:

On behalf of the Southern Alliance for Clean Energy, Inc., enclosed please find for filing the Preliminary Statement issues consisting of seven pages. I thank you for your attention to this matter.

Sincerely,

/s/ E. Leon Jacobs, Jr.

E. Leon Jacobs, Jr.
Attorney for the Southern Alliance for Clean Energy, Inc.

Enclosures

BEFORE THE PUBLIC SERVICE COMMISSION

In re; Petition for determination of need for) DOCKET NO. 080148-EI
Levy Units 1 and 2 nuclear power plants, by)
Progress Energy, Florida, Inc.) FILED: April 18, 2008
)
)
_____)

**THE SOUTHERN ALLIANCE FOR CLEAN ENERGY, INC.'S
PRELIMINARY STATEMENT OF ISSUES**

The Southern Alliance for Clean Energy, Inc., by and through their undersigned counsel, and pursuant to Order No. PSC-08-0151-PCO-EI, Order Establishing Procedure in this docket, hereby submits its proposed issues of fact which the Florida Public Service Commission should resolve in determining the need for the Levy Units 1 and 2 as proposed by applicant.

PROPOSED LIST OF ISSUES

Issue 1: Is there a need for the proposed generating units, taking into account the need for electric system reliability and integrity, as this criterion is used in Section 403.519(4), Florida Statutes?

Issue 2: Is there a need for the proposed generating units, taking into account the need for fuel diversity, as this criterion is used in Section 403.519(4), Florida Statutes?

Issue 3: Is there a need for the proposed generating units, taking into account the need for base-load generating capacity, as this criterion is used in Section 403.519(4), Florida Statutes?

Issue 4: Is there a need for the proposed generating units, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in Section 403.519(4), Florida Statutes?

Issue 5: Are there any renewable energy sources and technologies or conservation measures taken by or reasonably available to Progress Energy Florida, Inc. which might mitigate the need for the proposed generating units?

Issue 6: Will the proposed generating units provide the most cost-effective source of power, as this criterion is used in Section 403.519(4), Florida Statutes?

Issue 7: Based on the resolution of the foregoing issues, should the Commission grant Progress Energy Florida, Inc.'s petition to determine the need for the proposed generating units?

Issue 8: Should the Commission separately assess the need for each of the proposed generating units using the criteria set forth in Section 403.519(4), Florida Statutes?

Issue 9: Has Progress Energy Florida, Inc. included all appropriate costs in its non-binding estimate, which are necessary to accurately determine whether the proposed generating units provide the most cost-effective source of power, as this criterion is used in Section 403.519(4), Florida Statutes?

Issue 10: Has Progress Energy Florida, Inc. instituted sufficient safeguards to ensure that the estimated construction costs and schedule provided to the Commission are complete and sufficient, in order to make a determination of whether the proposed generating units provide the most cost-effective source of power (as this criterion is used in Section 403.519(4), Florida Statutes) are realistic?

Issue 11: Should the Commission condition any finding of need upon a requirement that Progress Energy Florida, Inc. implement contractual strategies to reduce the risk to ratepayers of cost escalations, in order to ensure that the continued validity of the Commission's cost-effectiveness analysis protects ratepayers from unlimited price increases?

Issue 12: Should the Commission condition any finding of need on the establishment of a maximum cost for each proposed generating unit, above which such a generating unit will no longer be deemed the most cost effective alternative available?

Issue 13: Should this docket be closed?

RESPECTFULLY SUBMITTED this 18th day of April, 2008

/s/ E. Leon Jacobs, Jr.

E. Leon Jacobs, Jr.
Williams & Jacobs, LLC
1720 S. Gadsden St. MS 14
Suite 201
Tallahassee, Florida 32301
Florida Bar Id. 0714682
(850) 222-1246
(850) 599-9079 fax
Ljacobs50@comcast.net
Attorney for the Southern Alliance for Clean
Energy

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy and correct copy of the foregoing was served on this 18th day of April via electronic mail and via US Mail on:

Katherine Fleming Florida Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850	J.R. Kelly / Stephen Burgess Office of Public Counsel c/o The Florida Legislature 11 I W. Madison Street, Room 8 12 Tallahassee, FL 32399-1400
James W. Brew / F. Alvin Taylor Brickfield, Burchette, Ritts & Stone, P.C. 1025 Thomas Jefferson Street, NW, Eighth Floor, West Tower Washington, DC 20007-5201	Mr. Paul Lewis, Jr. Progress Energy Florida 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740
J. Michael Walls/Dianne M. Tripplett Carlton Fields Law Firm Post Office Box 3239 Tampa, FL 33601	PCS Administration (USA), Inc. Karin S. Torain Suite 400 Skokie Boulevard Northbrook, IL 60062
John T. Burnett / R. Alexander Glenn Progress Energy Service Company, LLC Post Office Box 14042 St. Petersburg, FL 33733-4042	Charles Gauthier Department of Community Affairs Division of Community Planning 2555 Shumard Oak Boulevard Tallahassee, FL 32399-2100
Michael P. Halpin Department of Environmental Protection Siting Coordination Office 2500 Blairstone Road, MS 48 Tallahassee, FL 32301	Bob Krasowski 1086 Michigan Ave. Naples, FL 34103

This 18th day of April, 2007.

/s/ E. Leon Jacobs, Jr.