

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination of Need
For Levy Units 1 and 2 Nuclear Power
Plants.

DOCKET NO. 080148-EI

FILED: May 2, 2008

CITIZENS' PREHEARING STATEMENT

The Citizens of the State of Florida, ("Citizens") by and through their undersigned attorney, the Office of Public Counsel ("OPC"), pursuant to the Order Establishing Procedure, Order No. PSC-08-0151-PCO-EI, issued March 12, 2008, hereby submit this Prehearing Statement:

A. ALL KNOWN WITNESSES:

The Citizens do not intend to sponsor any witnesses at the hearing.

B. ALL KNOWN EXHIBITS:

The Citizens do not intend to submit any exhibits.

C. STATEMENT OF BASIC POSITION

After hearing and evaluating all of the evidence presented, the Commission must apply the standards established in Section 403.519, Florida Statutes, in determining the need for proposed Levy Units 1 and 2.

D. NO POSITION AT THIS TIME

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?

POSITION: The Citizens take no position at this time.

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?

POSITION: The Citizens take no position at this time.

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?

POSITION: The Citizens take no position at this time.

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?

POSITION: The Citizens take no position at this time.

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?

POSITION: The Citizens take no position at this time.

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?

POSITION: The Citizens take no position at this time.

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?

POSITION: The Citizens take no position at this time.

ISSUE 8: Should this docket be closed?

POSITION: The Citizens take no position at this time.

Additional Issues

ISSUE 9: 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? (WHITE SPRINGS 8; SACE 8)

POSITION: In assessing all of the evidence for its determination of need, the Commission should not, a priori, rule out the possibility of the need for only one unit.

ISSUE 10: Should the Commission require, as a condition of granting a determination of need for the proposed units, that Progress Energy Florida, Inc. implement contractual and other strategies required to effectively manage the units' construction cost and schedule and the risks to consumers associated with cost overruns and project delays? (WHITE SPRINGS 10; SACE 10)

POSITION: Yes.

E. STIPULATED ISSUES:

The Citizens are not aware of any stipulated issues.

F. PENDING MOTIONS:

The Citizens have no motions pending in this docket.

G. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY:

The Citizens have no pending requests or claims for confidentiality.

H. OBJECTIONS TO QUALIFICATIONS OF WITNESSES AS AN EXPERT:

The Citizens have no objections.

I. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Citizens cannot comply at this time.

Dated this 2nd day of May, 2008.

Respectfully submitted,



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CERTIFICATE OF SERVICE
DOCKET NO. 070183-WS

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Citizens' Prehearing Statement has been furnished by electronic mail and U.S. Mail to the following parties on this 2nd day of May, 2008:

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