

Ruth Nettles

090007-EI

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Sent: Friday, October 02, 2009 2:34 PM
To: Filings@psc.state.fl.us; CHRISTENSEN.PATTY; Alexander Glenn; Gary Perko; J. Burnett; J. butler; J. McWhirter; J. Stone; K. White/S McNeill; Lee Willis; Martha Brown; Paul Lewis; Paula K. Brown; S. Ritenour; S. Wright; Vicki Kaufman; W. Litchfield
Subject: Electronic Filing - 090007-EI OPC Prehearing Statement
Attachments: 090007-EI Prehearing Statement 10-02-09.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Patricia A. Christensen, Associate Public Counsel
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b. Docket No. 090007-EI

In Re: Environmental Power Cost Recovery Clause

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of eight (8) pages.

e. The document attached for electronic filing is Citizens' Prehearing Statement

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DOCUMENT NUMBER-DATE

10224 OCT-2 09

10/2/2009

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental Cost
Recovery Clause

Docket No. 090007-EI

Filed: October 2, 2009

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through the Office of Public Counsel, pursuant to the Order Establishing Procedure in this docket, Order No. PSC-09-0138-PCO-EI, issued March 06, 2009, submit this Prehearing Statement.

APPEARANCES:

PATRICIA A. CHRISTENSEN, Esquire
Associate Public Counsel
CHARLIE BECK, Esquire
Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
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On behalf of the Citizens of the State of Florida.

1. **WITNESSES:**

None:

2. **EXHIBITS:**

None.:

3. **STATEMENT OF BASIC POSITION**

DOCUMENT NUMBER-DATE

10224 OCT-28

FPSC-COMMISSION CLERK

4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

GENERIC ISSUES

Issue 1: What are the final environmental cost recovery true-up amounts for the period ending December 31, 2008?

OPC: No position at this time.

Issue 2: What are the estimated environmental cost recovery true-up amounts for the period January 2009 through December 2009?

OPC: No position at this time.

Issue 3: What are the projected environmental cost recovery amounts for the period January 2010 through December 2010?

OPC: No position at this time.

Issue 4: What are the environmental cost recovery amounts, including true-up amounts, for the period January 2010 through December 2010?

OPC: No position at this time.

Issue 5: What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery amounts for the period January 2010 through December 2010?

OPC: No position at this time.

Issue 6: What are the appropriate jurisdictional separation factors for the projected period January 2010 through December 2010?

OPC: No position at this time.

Issue 7: What are the appropriate environmental cost recovery factors for the period January 2010 through December 2010 for each rate group?

OPC: No position at this time.

Issue 8: What should be the effective date of the new environmental cost recovery factors for billing purposes?

OPC: No position at this time.

COMPANY-SPECIFIC ISSUES

Florida Power & Light (FPL)

Issue 1: Should the Commission grant FPL's Petition for Approval of Plant Riviera Manatee Temporary Heating System (MTHS) Project for environmental cost recovery?

OPC: No position at this time.

Issue 2: How should the costs associated with the MTHS – Riviera Project be allocated to the rate classes?

OPC: No position at this time.

Issue 3: Should FPL be allowed to recover the costs associated with its proposed Manatee Temporary Heating System (MTHS) – Cape Canaveral Plant Project?

OPC: No position at this time.

Issue 4: How should the costs associated with the MTHS – Cape Canaveral Project be allocated to the rate classes?

OPC: No position at this time.

Issue 5: Should FPL be allowed to recover the costs associated with its proposed Turkey Point Cooling Canal Monitoring Plan (TP-CCMP) Project through the ECRC?

OPC: No position at this time.

Issue 6: How should the costs associated with the TP-CCMP Project be allocated to the rate classes?

OPC: No position at this time.

Issue 7: Should FPL be allowed to recover the costs associated with its proposed NESHAP Information Collection Request Project through the ECRC?

OPC: No position at this time.

Issue 8: How should the costs associated with the NESHAP Information Collection Request Project be allocated to the rate classes?

OPC: No position at this time.

Issue 9: What are the reasonable environmental cost recovery amounts for FPL's three Next Generation Solar Energy Centers for the final true-up period January 2008 through December 2008?

OPC: No position at this time.

Issue 10: Should the Commission approve FPL's updated Clean Air Interstate Rule, Clean Air Mercury Rule and Clean Air Visibility Rule Compliance Projects that are reflected in FPL's April 1, 2009, supplemental filing as reasonable and prudent?

OPC: No position at this time.

Issue 11: Should FPL be allowed to recover the increased costs associated with the St. Lucie Cooling Water System Inspection and Maintenance Project?

OPC: No position at this time.

Progress Energy Florida (PEF)

Issue 1: Should the Commission grant PEF's petition for approval of cost recovery for the Total Maximum Daily Loads Hg Emissions (TMDLs-Hg emission) Program?

OPC: No position at this time.

Issue 2: How should the costs associated with the TMDLs-Hg Emission Program be allocated to the rate classes?

OPC: No position at this time.

Issue 3: Should the Commission approve PEF's 2009 Review of Integrated Clean Air Compliance Plan as reasonable and prudent?

OPC: No position at this time.

Issue 4: How should the capital and O&M costs associated with Project 7 be allocated to the rate classes?

OPC: No position at this time.

Issue 5: Has the Company used the correct amount of the True-Up Provision established by Order No. PSC-08-0775-FOF-EI in its Actual/Estimated True-up calculations for the period January 2009 through December 2009?

OPC: No position at this time.

Gulf Power Company (Gulf)

Issue 1: Should Gulf be allowed to recover the costs associated with its proposed Plant Smith Reclaimed Water Project?

OPC: No position at this time.

Issue 2: How should the costs associated with the Plant Smith Reclaimed Water Project be allocated to the rate classes?

OPC: No position at this time.

Issue 3: Should Gulf be allowed to recover the costs associated with its proposed Plant Crist Unit 6 Precipitator Project?

OPC: No position at this time.

Issue 4: How should the costs associated with the Plant Crist Unit 6 Precipitator Project be allocated to the rate classes?

OPC: No position at this time.

Issue 5: Should the Commission approve Gulf's Environmental Compliance Program Update for the Clean Air Interstate Rule and Clean Air Visibility Rule as reasonable and prudent?

OPC: No position at this time.

Issue 6: Shall Gulf be allowed to recover the costs associated with its newly proposed Maximum Achievable Control Technology Information Collection Request (MACT-ICR) Project?

OPC: No position at this time pending review of outstanding discovery.

Issue 7: How should the costs associated with the MACT-ICR Project be allocated to the rate classes?

OPC: No position at this time pending review of outstanding discovery.

Dated this 2nd day of October, 2009.

Respectfully submitted,



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Attorney for the Citizens
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of OPC'S PREHEARING STATEMENT was furnished to the following, by U.S. Mail, on this 2nd day of October, 2009:

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