

**Marguerite McLean**

090001-EI

**From:** DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]  
**Sent:** Tuesday, October 06, 2009 3:02 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** CHRISTENSEN.PATTY; Cecilia Bradley; Cheryl Martin; Curtis Young; Erik Sayler; J. Beasley; James W. Brew; Jean Hartman; Jeffery A. Stone; John McWhirter; John Rogers; John T. Burnett; John T. Butler; Karen White; Karin Torain; Keino Young; Lee Willis; Lisa Bennett; Norman H. Horton; Paul Lewis, Jr.; Paula K. Brown; Schef Wright; Shayla McNeill; Susan Ritenour; Vicki Kaufman; Wade Litchfield  
**Subject:** Electronic Filing 090001-EI Prehearing Statement  
**Attachments:** 090001-EI Prehearing Statement (F).docx.pdf; 090001 Prehearing Statement (F).docx

## Electronic Filing

a. Person responsible for this electronic filing:

Patricia A. Christensen, Associate Public Counsel  
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 c/o The Florida Legislature  
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b. Docket No. 090001-EI

In Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor

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

d. There are a total of ten (10) pages.

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

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DOCUMENT NUMBER-DATE

10326 OCT-6 09

10/6/2009

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power )  
Cost Recovery Clause with )  
Generating Performance Incentive )  
Factor )  
\_\_\_\_\_ )

DOCKET NO. 090001-EI  
FILED: October 6, 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-09-0142-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  
Tallahassee, Florida 32399-1400  
On behalf of the Citizens of the State of Florida.

1. **WITNESSES:**

None

2. **EXHIBITS:**

None

3. **STATEMENT OF BASIC POSITION**

None

DOCUMENT NUMBER-DATE  
10326 OCT-6 8  
FPSC-COMMISSION CLERK

#### 4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

##### COMPANY SPECIFIC FUEL ADJUSTMENT ISSUES

###### Progress Energy Florida, Inc.

**ISSUE 1A:** Should the Commission approve as prudent, PEF's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in PEF's April 2009 and August 2009 hedging reports?

**OPC:** No position at this time.

**ISSUE 1B:** Should the Commission approve PEF's 2010 Risk Management Plan?

**OPC:** No position at this time.

###### Florida Power & Light Company

**ISSUE 2A:** Should the Commission approve as prudent, FPL's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in FPL's April 2009 and August 2009 hedging reports?

**OPC:** No position at this time.

**ISSUE 2B:** Should the Commission approve FPL's 2010 Risk Management Plan?

**OPC:** No position at this time.

**ISSUE 2C:** With respect to the February 26, 2008 outages, should FPL or its customers be responsible for replacement power costs associated with the outages?

**OPC:** No position at this time.

###### Florida Public Utilities Company

**ISSUE 3A:** Has FPUC pursued all reasonable avenues to protect its ratepayers from mid-course increases in fuel and demand charges from JEA in 2009?

**OPC:** No position at this time.

**ISSUE 3B:** Should the Commission approve FPUC's proposal to use a portion of storm hardening revenues to mitigate increases to customers in the Northwest Division?

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

**Gulf Power Company**

**ISSUE 4A:** Should the Commission approve as prudent, GULF's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in GULF's April 2009 and August 2009 hedging reports?

**OPC:** No position at this time.

**ISSUE 4B:** Should the Commission approve GULF's 2010 Risk Management Plan?

**OPC:** No position at this time.

**ISSUE 4C:** Should the Commission approve GULF's proposal to include the costs associated with construction and operation of the Perdido landfill Gas to Energy Facility in the fuel clause?

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

**Tampa Electric Company**

**ISSUE 5A:** Should the Commission approve as prudent, TECO's actions to mitigate the volatility of natural gas, residual oil, and purchased power prices, as reported in TECO's April 2009 and August 2009 hedging reports?

**OPC:** No position at this time.

**ISSUE 5B:** Should the Commission approve TECO's 2010 Risk Management Plan?

**OPC:** No position at this time.

**GENERIC FUEL ADJUSTMENT ISSUES**

**ISSUE 6:** What are the appropriate actual benchmark levels for calendar year 2009 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

**OPC:** No position at this time.

**ISSUE 7:** What are the appropriate estimated benchmark levels for calendar year 2010 for gains on non-separated wholesale energy sales eligible for a shareholder incentive?

**OPC:** No position at this time.

**ISSUE 8:** What are the appropriate fuel adjustment true-up amounts for the period January 2008 through December 2008?

**OPC:** No position at this time.

**ISSUE 9:** What are the appropriate fuel adjustment true-up amounts for the period January 2009 through December 2009?

**OPC:** No position at this time.

**ISSUE 10:** What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2010 to December 2010?

**OPC:** No position at this time.

**ISSUE 11:** What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January 2010 through December 2010?

**OPC:** No position at this time.

**ISSUE 12:** What are the appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2010 through December 2010?

**OPC:** No position at this time.

**ISSUE 13:** What are the appropriate levelized fuel cost recovery factors for the period January 2010 through December 2010?

**OPC:** No position at this time.

**ISSUE 14:** What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?

**OPC:** No position at this time.

**ISSUE 15:** What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

**OPC:** No position at this time.

**ISSUE 16:** What should be the effective date of the fuel adjustment charge and capacity cost recovery charge for billing purposes?

**OPC:** No position at this time.

#### **COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES**

##### **Progress Energy Florida, Inc.**

No company-specific issues for Progress Energy Florida, Inc. have been identified at this time. If such issues are identified, they shall be numbered 17A, 17B, 17C, and so forth, as appropriate.

##### **Florida Power & Light Company**

No company-specific issues for Florida Power & Light Company have been identified at this time. If such issues are identified, they shall be numbered 18A, 18B, 18C, and so forth, as appropriate.

##### **Gulf Power Company**

No company-specific issues for Gulf Power Company have been identified at this time. If such issues are identified, they shall be numbered 19A, 19B, 19C, and so forth, as appropriate.

##### **Tampa Electric Company**

No company-specific issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 20A, 20B, 20C, and so forth, as appropriate.

## **GENERIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES**

**ISSUE 21:** What is the appropriate generation performance incentive factor (GPIF) reward or penalty for performance achieved during the period January 2008 through December 2008 for each investor-owned electric utility subject to the GPIF?

**OPC:** No position at this time.

**ISSUE 22:** What should the GPIF targets/ranges be for the period January 2010 through December 2010 for each investor-owned electric utility subject to the GPIF?

**OPC:** No position at this time.

## **COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES**

### **Progress Energy Florida, Inc.**

**ISSUE 23A:** Has PEF included in the capacity cost recovery clause, the nuclear cost recovery amount ordered by the Commission in Docket No. 090009-EI?

**OPC:** No position at this time.

### **Florida Power & Light Company**

**ISSUE 24A:** Has FPL included in the capacity cost recovery clause, the nuclear cost recovery amount ordered by the Commission in Docket No. 090009-EI?

**OPC:** No position at this time.

### **Gulf Power Company**

No company-specific issues for Gulf Power Company have been identified at this time. If such issues are identified, they shall be numbered 25A, 25B, 25C, and so forth, as appropriate.

### **Tampa Electric Company**

No company-specific issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 26A, 26B, 26C, and so forth, as appropriate.

## **GENERIC CAPACITY COST RECOVERY FACTOR ISSUES**

**ISSUE 27:** What are the appropriate capacity cost recovery true-up amounts for the period January 2008 through December 2008?

**OPC:** No position at this time.

**ISSUE 28:** What are the appropriate capacity cost recovery true-up amounts for the period January 2009 through December 2009?

**OPC:** No position at this time.

**ISSUE 30:** What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2010 through December 2010?

**OPC:** No position at this time.

**ISSUE 31:** What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2010 through December 2010?

**OPC:** No position at this time.

**ISSUE 32:** What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2010 through December 2010?

**OPC:** No position at this time.

**ISSUE 33:** What are the appropriate capacity cost recovery factors for the period January 2010 through December 2010?

**OPC:** No position at this time.

5. **STIPULATED ISSUES**

OPC is not aware of any stipulated issues at this time.

6. **PENDING MOTIONS**

OPC has no pending motions at this time.

7. **PENDING CONFIDENTIALITY CLAIMS OR REQUESTS**

OPC has no pending requests for confidentiality at this time.

8. OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT

OPC has no objections to any witnesses' qualifications at this time.

9. COMPLIANCE WITH ORDER NO. PSC-09-0142-PCO-EI

OPC has complied with all requirements of the Order Establishing Procedure entered in this docket.

Dated this 6<sup>th</sup> day of October, 2009.

Respectfully submitted,



Patricia A. Christensen  
Associate Public Counsel

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Attorney for the Citizens  
of the State of Florida

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**  
**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 6<sup>th</sup> day of October, 2009:

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Florida Industrial Power Users Group  
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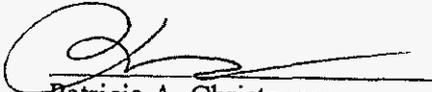
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Respectfully submitted,

  
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