

Diamond Williams

100007-EI

From: DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Friday, October 01, 2010 2:37 PM
To: Filings@psc.state.fl.us
Cc: 'Jim Beasley'; 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: OPC 100007-EI Prehearing Statement
Attachments: OPC 100007-EI Prehearing Statement.pdf

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 100007-EI

In Re: Environmental Cost Recovery Clause

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

d. There are a total of seven pages.

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

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DOCUMENT NUMBER-DATE

08245 OCT-1 0

10/1/2010

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental Cost
Recovery Clause
_____ /

Docket No. 100007-EI

Filed: October 1, 2010

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-10-0097-PCO-EI, issued February 22, 2010, 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.

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

None.

DOCUMENT NUMBER-DATE

08245 OCT-10

FPSC-COMMISSION CLERK

GENERIC ISSUES

Issue 1: What are the final environmental cost recovery true-up amounts for the period ending December 31, 2009?

OPC: No position at this time.

Issue 2: What are the estimated environmental cost recovery true-up amounts for the period January 2010 through December 2010?

OPC: No position at this time.

Issue 3: What are the projected environmental cost recovery amounts for the period January 2011 through December 2011?

OPC: No position at this time.

Issue 4: What are the environmental cost recovery amounts, including true-up amounts, for the period January 2011 through December 2011?

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 2011 through December 2011?

OPC: No position at this time.

Issue 6: What are the appropriate jurisdictional separation factors for the projected period January 2011 through December 2011?

OPC: No position at this time.

Issue 7: What are the appropriate environmental cost recovery factors for the period January 2011 through December 2011 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 9A: Should FPL be allowed to recover the costs associated with its proposed St. Lucie Turtle Net – Update Project?

OPC: No position at this time.

Issue 9B: Should FPL be allowed to recover the costs associated with its proposed Martin Plant Barley Swamp Iron (BBS-Iron) Project?

OPC: No position at this time.

Issue 9C: How should the costs associated with FPL's proposed Martin Plant BBS-Iron Project be allocated to the rate classes?

OPC: No position at this time.

Issue 9D: Should FPL be allowed to recover the costs associated with its proposed 800 MW Units Electrostatic Precipitators (ESPs) Project for complying with the Maximum Achievable Control Technology (MACT) Rule?

OPC: No position at this time.

Issue 9E: How should the costs associated with FPL's proposed 800 MW Units ESPs Project be allocated to the rate classes?

OPC: No position at this time.

Issue 9F: Should FPL submit to the Commission monthly schedules to report the operation status of its three Next Generation Solar Energy Centers?

OPC: No position at this time.

Issue 9G: Should the Commission approve FPL's 2010 Supplemental Clean Air Interstate Rule (CAIR), Clean Air Mercury Rule (CAMR) and Clean Air Visibility Rule (CAVR) Filing?

OPC: No position at this time.

Issue 9H: Should FPL be allowed to recover the costs associated with its proposed CAIR and CAMR Compliance – Update Project? (will be removed if a new docket is opened to address it)

OPC: OPC understands that this issue will be addressed in docket no. 100404-EI.

Issue 9I: Should FPL submit to the Commission monthly schedules to report the operation status of its three Next Generation Solar Energy Centers?

OPC: Yes.

Progress Energy Florida (PEF)

Issue 10A: Should the Commission grant PEF's petition for approval of cost recovery for the Effluent Limitation Guidelines-related Information Collection Request (ELG-ICR) Project?

OPC: No position at this time.

Issue 10B: How should the costs associated with PEF's proposed ELG-ICR Project be allocated to the rate classes?

OPC: No position at this time.

Issue 10C: Should the Commission approve PEF's Updated Review of Integrated Clean Air Compliance Plan that was submitted on April 1, 2010?

OPC: No position at this time.

Gulf Power Company (Gulf)

Issue 11A: Should the Commission approve Gulf's Environmental Compliance Program Update for the Clean Air Interstate Rule (CAIR) and Clean Air Visibility Rule (CAVR) that was submitted on April 1, 2010?

OPC: No position at this time.

Issue 11B Should the Commission grant Gulf's Petition for approval of the inclusion of the Plant Daniel Units 1 and 2 Selective Catalytic Reduction Systems (SCRs) in the Company's Compliance Program and for recovery of the associated costs through the ECRC?

OPC: No position at this time.

Issue 11C: Should the Commission approve Gulf's newly proposed Information Collection Request-related Effluent Limitations Guidelines (ICR-ELG) Project?

OPC: No position at this time.

Issue 11D: How should the costs associated with Gulf's proposed ICR-ELG Project be allocated o the rate classes?

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 confidentiality claims or requests at this time.

8. **OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT**

OPC has no objections to any witness' qualifications as an expert in this proceeding.

9. COMPLIANCE WITH ORDER NO. PSC-10-0097-PCO-EI

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

Dated this 1st day of October, 2010.

Respectfully submitted,



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Attorney for the Citizens
of the State of Florida

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 1st day of October, 2010:

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