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Sent: Tuesday, August 07, 2012 10:34 AM

To: Filings@psc.state.fl.us

Subject: FEA's Prehearing Statement (Docket 120009-EI)

Signed By: There are problems with the signature. Click the signature button for details.

Attachments: FEA Prehearing Statement.pdf

IAW the electronic filing procedures, the below filing is made on behalf of the Federal Executive Agencies (FEA):

a. Person responsible for this electronic filing:

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b. Docket 120009-EI, In re: Nuclear Cost Recovery Clause

c. Document being filed on behalf of FEA

d. The document attached for electronic filing consists of nine pages

e. The document attached for electronic filing is FEA's Pre-Hearing Statement

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8/7/2012

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 120009-EI

DATED: August 6, 2012

FEDERAL EXECUTIVE AGENCIES PREHEARING STATEMENT

Pursuant to Order No. PSC-12-0078-PCO-EI, filed February 20, 2012, the Federal Executive Agencies (FEA) files its Prehearing Statement.

a. All Known Witnesses

FEA does not intend to call any witnesses at this time.

b. All Known Exhibits

FEA does not intend to file any exhibits at this time.

c. FEA's Statement of Basic Position

FEA's positions are preliminary and based on materials filed by the parties and on discovery. FEA's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. FEA's Position on the Issues

ISSUE 1: Does Section 366.93, Florida Statutes, authorize the Commission to disallow recovery of all, or a portion of, the carrying costs prescribed by Section 366.93(2)(b), Florida Statutes?

POSITION: No position at this time.

ISSUE 2: Does the Commission have the authority to disallow recovery of any AFUDC equity on the Crystal River Unit 3 Uprate project in 2012 and 2013 due to the delay caused by the lack of implementation of a final decision to repair or retire Crystal River Unit 3? If yes, should the Commission exercise this authority and what amount should it disallow, if any?

POSITION: No position at this time.

ISSUE 3: Does the Commission have the authority to defer all determinations of prudence and reasonableness for the Crystal River Unit 3 Uprate project (and,

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thus, defer cost recovery in 2013) until a final decision to repair or retire has been implemented? If yes, should the Commission exercise this authority?

POSITION: No position at this time

ISSUE 4: Do PEF's activities since January 2011 related to Levy Units 1 & 2 qualify as "siting, design, licensing, and construction" of a nuclear power plant as contemplated by Section 366.93, F.S.?

POSITION: No position at this time.

ISSUE 5: Should the Commission approve what PEF has submitted as its 2012 annual detailed analysis of the long-term feasibility of completing the Levy Units 1 & 2 project, as provided for in Rule 25-6.0423, F.A.C.? If not, what action, if any, should the Commission take?

POSITION: No position at this time.

ISSUE 6: What is the current total estimated all-inclusive cost (including AFUDC and sunk costs) of the proposed Levy Units 1 & 2 nuclear project?

POSITION: No position at this time.

ISSUE 7: What is the current estimated planned commercial operation date of the planned Levy Units 1 & 2 nuclear facility?

POSITION: No position at this time.

ISSUE 8: Should the Commission find that, for 2011, PEF's project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Levy Units 1 & 2 project? If not, what action, if any, should the Commission take?

POSITION: No position at this time.

ISSUE 9: What system and jurisdictional amounts should the Commission approve as PEF's final 2011 prudently incurred costs and final true-up amounts for the Levy Units 1 & 2 project?

POSITION: No position at this time.

ISSUE 10: What system and jurisdictional amounts should the Commission approve as reasonably estimated 2012 costs and estimated true-up amounts for PEF's Levy Units 1 & 2 project?

POSITION: No position at this time.

ISSUE 11: What system and jurisdictional amounts should the Commission approve as reasonably projected 2013 costs for PEF's Levy Units 1 & 2 project?

POSITION: No position at this time.

ISSUE 12: Should the Commission approve what PEF has submitted as its 2012 annual detailed analysis of the long-term feasibility of completing the Crystal River Unit 3 Uprate project, as provided for in Rule 25-6.0423, F.A.C.? If not, what action, if any, should the Commission take?

POSITION: No position at this time.

ISSUE 13: Should the Commission find that, for 2011, PEF's project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Crystal River Unit 3 Uprate project? If not, what action, if any, should the Commission take?

POSITION: No position at this time.

ISSUE 14: Were all of the actual Crystal River Unit 3 Uprate project expenditures prudently incurred or expended in 2011 in the absence of a final decision to repair or retire Crystal River Unit 3 in 2011?

POSITION: No position at this time.

ISSUE 15: What system and jurisdictional amounts should the Commission approve as PEF's 2011 prudently incurred costs and final true-up amounts for the Crystal River Unit 3 Uprate project?

POSITION: No position at this time.

ISSUE 16: Is it reasonable for PEF to incur or expend all of the estimated and projected Crystal River Unit 3 Uprate project expenditures in 2012 and 2013 in the absence of a final decision to repair or retire CR3?

POSITION: No position at this time.

ISSUE 17: What system and jurisdictional amounts should the Commission approve as reasonably estimated 2012 costs and estimated true-up amounts for PEF's Crystal River Unit 3 Uprate project?

POSITION: No position at this time.

ISSUE 18: What system and jurisdictional amounts should the Commission approve as reasonably projected 2013 costs for PEF's Crystal River Unit 3 Uprate project?

POSITION: No position at this time.

ISSUE 19: What is the total jurisdictional amount to be included in establishing PEF's 2013 Capacity Cost Recovery Clause factor?

POSITION: No position at this time.

ISSUE 20: Do FPL's activities since January 2011 related to Turkey Point Units 6 & 7 qualify as "siting, design, licensing, and construction" of a nuclear power plant as contemplated by Section 366.93, F.S.?

POSITION: No position at this time.

ISSUE 21: Should the Commission approve what FPL has submitted as its 2012 annual detailed analysis of the long-term feasibility of completing the Turkey Point Units 6 & 7 project, as provided for in Rule 25-6.0423, F.A.C.? If not, what action, if any, should the Commission take?

POSITION: No position at this time.

ISSUE 22: What is the current total estimated all-inclusive cost (including AFUDC and sunk costs) of the proposed Turkey Point Units 6 & 7 nuclear project?

POSITION: No position at this time.

ISSUE 23: What is the current estimated planned commercial operation date of the planned Turkey Point Units 6 & 7 nuclear facility?

POSITION: No position at this time.

ISSUE 24: Should the Commission find that FPL's 2011 project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project?

POSITION: No position at this time.

ISSUE 25: What system and jurisdictional amounts should the Commission approve as FPL's final 2011 prudently incurred costs and final true-up amounts for the Turkey Point Units 6 & 7 project?

POSITION: No position at this time.

ISSUE 26: What system and jurisdictional amounts should the Commission approve as reasonably estimated 2012 costs and estimated true-up amounts for FPL's Turkey Point Units 6 & 7 project?

POSITION: No position at this time.

ISSUE 27: What system and jurisdictional amounts should the Commission approve as reasonably projected 2013 costs for FPL's Turkey Point Units 6 & 7 project?

POSITION: No position at this time.

ISSUE 28: Should the Commission approve what FPL has submitted as its 2012 annual detailed analysis of the long-term feasibility of completing FPL's Extended Power Uprate project, as provided for in Rule 25-6.0423, F.A.C.? If not, what action, if any, should the Commission take?

POSITION: No position at this time.

ISSUE 28A: Based on the evidence, under current circumstances, should the Commission evaluate the economic feasibility of the Turkey Point and St. Lucie Extended Power Uprate activities separately?

POSITION: No position at this time.

ISSUE 29: Should the Commission find that FPL's 2011 project management, contracting, accounting and cost oversight controls were reasonable and prudent for FPL's Extended Power Uprate project?

POSITION: No position at this time.

ISSUE 29A: Should the Commission find that FPL managed the extended power uprate activities at Turkey Point in a reasonable and prudent manner? If not, what action should the Commission take?

POSITION: No position at this time.

ISSUE 30: What system and jurisdictional amounts should the Commission approve as FPL's final 2011 prudently incurred costs and final true-up amounts for FPL's Extended Power Uprate project?

POSITION: No position at this time.

ISSUE 31: What system and jurisdictional amounts should the Commission approve as reasonably estimated 2012 costs and estimated true-up amounts for FPL's Extended Power Uprate project?

POSITION: No position at this time.

ISSUE 32: What system and jurisdictional amounts should the Commission approve as reasonably projected 2013 costs for FPL's Extended Power Uprate project?

POSITION: No position at this time.

ISSUE 33: What is the total jurisdictional amount to be included in establishing FPL's 2013 Capacity Cost Recovery Clause factor?

POSITION: No position at this time.

e. **Stipulated Issues**

There are no stipulated issues at this time.

f. **Pending Motions**

FEA has no pending motions.

g. **Pending Confidentiality Claims or Requests**

FEA has no pending confidentiality claims or requests.

h. **Objections to Witness Qualifications as an Expert**

FEA has no objections to any witness's qualifications as an expert.

i. **Compliance with Order No. PSC-12-0078-PCO-EI**

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

Respectfully submitted this 6th day of August, 2012.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 120009-EI

DATED: August 6, 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that FEA's PREHEARING STATEMENT has been filed with Office of Commission Clerk and one copy has been furnished to the following by electronic and U.S. Mail, on this 6th day of August, 2012:

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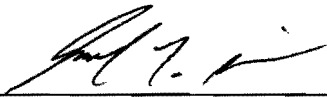
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