

Eric Fryson

From: Kim Hancock [khancock@moylelaw.com]
Sent: Friday, October 05, 2012 1:11 PM
To: Filings@psc.state.fl.us
Cc: Charles Murphy; john.butler@fpl.com; jbeasley@ausley.com; regdept@tecoenergy.com; jwahlen@ausley.com; john.burnett@pgnmail.com; kelly.jr@leg.state.fl.us; rehwinkel.charles@leg.state.fl.us; jas@beggslane.com; rab@beggslane.com; Samuel.Miller@Tyndall.af.mil; garyp@hgslaw.com; jwb@bbrslaw.com; Vicki Kaufman; Jon Moyle
Subject: Docket No. 120007-EI
Attachments: FIPUG Prehearing Statement 10.5.12.pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

- a. The name, address, telephone number and email for the person responsible for the filing is:
 - Jon C. Moyle, Jr.
 - Moyle Law Firm, P.A.
 - The Perkins House
 - 118 North Gadsden Street
 - Tallahassee, FL 32301
 - (850) 681-3828
 - jmoyle@moylelaw.com
- b. This filing is made in Docket No. 120007-EI.
- c. The document is filed on behalf of Florida Industrial Power Users Group.
- d. The total pages in the document are 6 pages.
- e. The attached document is THE FLORIDA INDUSTRIAL POWER USERS GROUP'S PREHEARING STATEMENT.

Kim Hancock
khancock@moylelaw.com



The Perkins House
 118 North Gadsden Street
 Tallahassee, Florida 32301
 850-681-3828 (Voice)
 850-681-8788 (Fax)
www.moylelaw.com

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DOCUMENT NUMBER-DATE
 06778 OCT-5 2012
 FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Environmental
Cost Recovery Clause

Docket No. 120007-EI

Filed: October 5, 2012

**THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
PREHEARING STATEMENT**

The Florida Industrial Power Users Group (FIPUG), pursuant to Order No. PSC-12-0060-PCO-EI and Amendatory Order No. PSC-12-0060A-PCO-EI, files its Prehearing Statement.

A. APPEARANCES:

Jon C. Moyle, Jr.
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, FL 32312

Attorneys for the Florida Industrial Power Users Group

B. WITNESSES AND EXHIBITS:

All witnesses and exhibits listed by other parties in this proceeding.

C. STATEMENT OF BASIC POSITION:

FIPUG maintains that the respective utilities must satisfy their burden of proof for any and all monies sought in this proceeding.

D. STATEMENT OF ISSUES AND POSITIONS:

GENERIC ISSUES

ISSUE 1: What are the final environmental cost recovery true-up amounts for the period ending December 31, 2011?

FIPUG: No position at this time.

ISSUE 2: What are the actual/estimated environmental cost recovery true-up amounts for the period January 2012 through December 2012?

FIPUG: No position at this time.

ISSUE 3: What are the projected environmental cost recovery amounts for the period January 2013 through December 2013?

FIPUG: No position at this time.

ISSUE 4: What are the environmental cost recovery amounts, including true-up amounts and revenue taxes for the period January 2013 through December 2013?

FIPUG: 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 2013 through December 2013?

FIPUG: No position at this time.

ISSUE 6: What are the appropriate jurisdictional separation factors for the projected period January 2013 through December 2013?

FIPUG: No position at this time.

ISSUE 7: What are the appropriate environmental cost recovery factors for the period January 2013 through December 2013 for each rate group?

FIPUG: No position at this time.

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

FIPUG: No position at this time.

COMPANY-SPECIFIC ISSUES

Florida Power & Light (FPL)

ISSUE 9A: Should FPL be allowed to recover the costs associated with the Manatee Temporary Heating System (MTHS) Project at Port Everglades Plant (PPE)?

FIPUG: No position at this time.

ISSUE 9B: Should FPL be allowed to recover the costs associated with its proposed Thermal Discharge Standards Project?

FIPUG: No position at this time.

ISSUE 9C: How should the costs associated with the Thermal Discharge Standards Project be allocated to the rate classes?

FIPUG: No position at this time.

ISSUE 9D: Should FPL be allowed to recover the costs associated with its proposed Gopher Tortoise Relocations Project?

FIPUG: No position at this time.

ISSUE 9E: How should the costs associated with the Gopher Tortoise Relocations Project be allocated to the rate classes?

FIPUG: No position at this time.

ISSUE 9F: Should FPL be allowed to recover the costs associated with its proposed Effluent Guidelines Revised Rule Project?

FIPUG: No position at this time.

ISSUE 9G: How should the costs associated with the Effluent Guidelines Revised Rule Project be allocated to the rate classes?

FIPUG: No position at this time.

ISSUE 9H: Should FPL be allowed to recover the costs associated with its proposed Numeric Nutrient Criteria Project?

FIPUG: No position at this time.

ISSUE 9I: How should the costs associated with the Numeric Nutrient Criteria Project be allocated to the rate classes?

FIPUG: No position at this time.

ISSUE 9J: Should FPL be allowed to recover the costs associated with the additional activities of the existing NPDES Permit Renewal Requirements Project?

FIPUG: No position at this time.

ISSUE 9K: Should the Commission approve FPL's proposal to expand the existing CAMR Compliance Project as reasonable?

FIPUG: No position at this time.

ISSUE 9L: Should the Commission approve FPL's Supplemental Clean Air Interstate Rule (CAIR), Clean Air Mercury Rule (CAMR) and Clean Air Visibility Rule (CAVR)/ Best Available Retrofit Technology (BART) Filing as reasonable?

FIPUG: No position at this time.

ISSUE 9M: Should the Commission approve FPL's proposed capital cost recovery schedule for the Port Everglades electrostatic precipitators?

FIPUG: No position at this time.

Progress Energy Florida (PEF)

ISSUE 10A: Should the Commission approve PEF's Review of Integrated Clean Air Compliance Plan as reasonable?

FIPUG: No position at this time.

Gulf Power Company (Gulf)

ISSUE 11A: Should the Commission approve Gulf's Environmental Compliance Program Update as reasonable?

FIPUG: No position at this time.

Tampa Electric Company (TECO)

None

E. STIPULATED ISSUES:

None at this time.

F. PENDING MOTIONS:

None at this time.

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

None.

H. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

None at this time.

I. **STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING
PROCEDURE:**

There are no requirements of the Order Establishing Procedure with which the Florida Industrial Power Users Group cannot comply at this time.

s/ Jon C. Moyle, Jr. _____

Jon C. Moyle, Jr.

Moyle Law Firm, P.A.

118 North Gadsden Street

Tallahassee, FL 32301

(850) 681-3828 (Voice)

(850) 681-8788 (Facsimile)

jmoyle@moylelaw.com

Attorneys for Florida Industrial Power Users Group

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of The Florida Industrial Power Users Group's Prehearing Statement has been furnished by Electronic Mail and United States

Mail this 5th day of October, 2012, to the following:

Charles Murphy
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Jeffrey A. Stone
Russell A. Badders
Beggs & Lane
Post Office Box 12950
Pensacola, Florida 32576-2950

John T. Butler
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

Captain Samuel Miller
USAF/AFLOA/JACL/ULFSC
139 Barnes Drive, Suite 1
Tyndall AFB, Florida 32403-5319

James D. Beasley
J. Jeffrey Wahlen
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302

Gary V. Perko
Hopping Green & Sams
Post Office Box 6526
Tallahassee, Florida 32314

John T. Burnett
Progress Energy Service Company, LLC
Post Office Box 14042
St. Petersburg, Florida 33733-4042

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, N.W.
Eighth Floor West Tower
Washington, D.C. 20007
Tel: (202) 342-0800
Fax: (202) 342-0807

J. R. Kelly
Charles Rehwinkel
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

s/ Jon C. Moyle, Jr.
Jon C. Moyle, Jr.