

Writer's E-Mail Address: bkeating@gunster.com

September 26, 2014

VIA E-PORTAL – ELECTRONIC FILING

Ms. Carlotta Stauffer
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

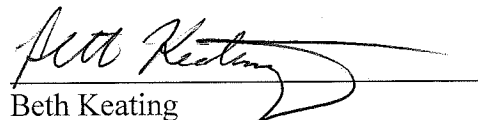
Re: Docket No. 140002-EG – Energy Conservation Cost Recovery Clause

Dear Ms. Stauffer:

Attached for electronic filing, please find Florida Public Utilities Company's Prehearing Statement.

Should you have any questions whatsoever, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,


Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

MEK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Energy Conservation Cost) Docket No. 140002-EG
Recovery Clause.)
_____) Filed: September 26, 2014

**FLORIDA PUBLIC UTILITIES COMPANY'S
PREHEARING STATEMENT**

Consistent with Order No. 14-0085-PCO-EG, issued February 4, 2014, Florida Public Utilities Company ("FPUC") hereby submits this Prehearing Statement:

a. All Known Witnesses

<u>Witness</u>	<u>Subject</u>	<u>Issue</u>
Curtis Young	Final True Up 2013	1
Curtis Young	2014 Cost Recovery Amounts and Factors for 2015	2 - 4

b. All Known Exhibits

<u>Witness</u>	<u>Exhibit</u>	<u>Title</u>
Curtis D. Young	CDY-1(composite)	Schedules CT-1, CT-2, CT-3, CT-4, CT-5 and CT-6
Curtis D. Young	CDY-2 (composite)	Schedules C-1, C-2, C-3, C-4, and C-5

c. FPUC's Statement of Basic Position

FPUC: The Commission should approve Florida Public Utilities Company's final net true-up for the period January through December 2013, the estimated true-up for the period

January through December, 2014, and the projected conservation program expenses for the period January through December, 2015.

d. FPUC's Position on the Issues

PROPOSED GENERIC LEGAL ISSUE

ISSUE A: For each utility, what is the appropriate end date for the Commission's approved solar pilot programs?¹

FPUC: No position at this time.

GENERIC CONSERVATION COST RECOVERY ISSUES

ISSUE 1: What are the final conservation cost recovery true-up amounts for the period January 2013 through December 2013?

FPUC: The Company under-recovered \$292,961, resulting in a final end of period true-up amount of \$82,299.

ISSUE 2: What are the total conservation cost recovery amounts to be collected during the period January 2015 through December 2015?

FPUC: FPUC seeks to recover \$688,627 over the period January 2015 through December 2015.

ISSUE 3: What are the conservation cost recovery factors for the period January 2015 through December 2015?

FPUC: The Company asks for approval of a consolidated levelized conservation cost recovery factor for this period of \$.00107 per KWH.

ISSUE 4: What should be the effective date of the new conservation cost recovery factors for billing purposes?

¹ It is FPUC's understanding that this issue has not yet been identified for resolution in this proceeding. FPUC therefore reserves its right to provide a position on this or any future specific issue or issues on this topic that may be identified at the Prehearing Conference.

FPUC: The factor should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2015 through December 2015. Billing cycles may start before January 1, 2015 and the last cycle may be read after December 31, 2015, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

PROPOSED ADDITIONAL ISSUES²

ISSUE 4A: Should the Commission require the utilities to separate their Energy Conservation Cost Recovery expenditures into two categories, one for Energy Efficiency programs and the other for Demand Side Management programs?

FPUC: No position at this time.

ISSUE 4B: Should the Commission allow pro-active non-residential customers who implement their own energy efficiency programs and meet certain other criteria to opt out of the utility's Energy Efficiency programs and not be required to pay the cost recovery charges for the utility's Energy Efficiency programs approved by the Commission pursuant to Section 366.82, Florida Statutes?

FPUC: No position at this time.

ISSUE 4C: If the Commission allows pro-active customers to opt out of participating in, and paying for, a utility's Energy Efficiency's programs, what criteria should the Commission apply in determining whether customers who wish to opt out are eligible to do so.

FPUC: No position at this time.

e. Stipulated Issues

There are no stipulated issues at this time.

f. Pending Motions

FPUC has no pending motions at this time.

² It is FPUC's understanding that these issues have not yet been identified for resolution in this proceeding. FPUC therefore reserves its right to provide a position on this or any future specific issue or issues on this topic that may be identified at the Prehearing Conference.

g. Pending Confidentiality Claims or Requests

FPUC's request for confidential classification of Staff audit workpapers, filed June 12, 2014, remains pending at this time.

h. Objections to Witness Qualifications as an Expert

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

i. Compliance with Order No. 14-0085-PCO-EG

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

RESPECTFULLY SUBMITTED this 26th day of September, 2014.


Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 26th day of September, 2014.

Florida Public Utilities Company Cheryl Martin/Aleida Socarras 911 South 8th Street Fernandina Beach, FL 32034	Jon C. Moyle, Jr., Esq. Moyle Law Firm 118 North Gadsden St. Tallahassee, FL 32301
Theresa L. Tan, Esq. Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399	Office of Public Counsel Patricia Christensen c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400
Paula K. Brown Tampa Electric Company P.O. Box 111 Tampa, FL 33601-0111	John T. Burnett, Esq./Dianne M. Triplett Duke Energy, Inc. P.O. Box 14042 St. Petersburg, FL 33733-4042
Paul Lewis, Jr. Duke Energy, Inc. 106 E. College Ave., Suite 800 Tallahassee, FL 32301	James D. Beasley, Esq. J. Jeffry Wahlen, Esq. Ausley & McMullen P.O. Box 391 Tallahassee, FL 32302
Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steve R. Griffin, Esq. Beggs & Lane P.O. Box 12950 Pensacola, FL 32591-2950	Kenneth Rubin, Esq. Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420
Mr. Ken Hoffman 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1858	George Cavros, Esq. 120 East Oakland Park Blvd., Suite 105 Fort Lauderdale, FL 33334 george@cavros-law.com
Robert L. McGee Gulf Power Company One Energy Place Pensacola, FL 32520-0780	James W. Brew, Esq. Brickfield, Burchette, Ritts & Stone, P.C. Eighth Floor, West Tower 1025 Thomas Jefferson Street, NW Washington, DC 20007

Docket No. 140002-EG
September 26, 2014

Randy B. Miller White Springs Agricultural Chemicals, Inc. P.O. Box 300 15843 Southeast 78 th St. White Springs, FL 32096	Robert Scheffel Wright/John T. LaVia c/o Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308
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