

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination that the Osprey Plant acquisition or, alternatively, the Suwannee Simple Cycle Project is the most cost effective generation alternative to meet remaining need prior to 2018, by Duke Energy Florida, Inc.

DOCKET NO. 150043-EI

DATED: May 6, 2015

COMMISSION STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-15-0110-PCO-EI, filed February 20, 2015, the Staff of the Florida Public Service Commission files its Prehearing Statement.

1. All Known Witnesses

There are no known witnesses at this time.

2. All Known Exhibits

There are no known exhibits at this time.

3. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

4. Staff's Position on the Issues

**ISSUE 1:** Does DEF have a need for additional generation capacity prior to 2018?

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

**ISSUE 2:** Is the acquisition of Calpine's Osprey Plant the most cost-effective way to meet DEF's generation need prior to 2018?

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

**ISSUE 3:** Does the Asset Purchase and Sale Agreement for the Osprey Plant contain adequate provisions to protect DEF's customers?

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

COMMISSION STAFF'S PREHEARING STATEMENT

DOCKET NO. 150043-EI

PAGE 2

**ISSUE 4:** If the Osprey Plant cannot be acquired under the terms and conditions of the Asset Purchase and Sale Agreement, is construction of the DEF Suwannee Generation Project the next most cost-effective way to meet DEF's generation need prior to 2018?

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

**ISSUE 5:** Given the resolution of the foregoing issues, how and when may DEF request recovery of the final costs for the Osprey Plant acquisition or the Suwannee Simple Cycle Project?

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

5. Stipulated Issues

None.

6. Pending Motions

None.

7. Pending Confidentiality Claims or Requests

Staff anticipates that all such requests will be resolved by order prior to the prehearing.

8. Objections to Witness Qualifications as an Expert

None.

9. Compliance with Order No. PSC-15-0110-PCO-EI

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

Respectfully submitted this 6th day of May, 2015.

*s/ Charles W. Murphy*

---

CHARLES W. MURPHY

STAFF COUNSEL

FLORIDA PUBLIC SERVICE COMMISSION

Gerald L. Gunter Building

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399-0850

Telephone: (850) 413-6191

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination that the Osprey Plant acquisition or, alternatively, the Suwannee Simple Cycle Project is the most cost effective generation alternative to meet remaining need prior to 2018, by Duke Energy Florida, Inc.

DOCKET NO. 150043-EI

DATED: May 6, 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of STAFF'S PREHEARING STATEMENT has been filed with Office of Commission Clerk and one copy has been furnished to the following by electronic mail, on this 6th day of May, 2015:

Matthew Bernier  
106 East College Avenue  
Suite 800  
Tallahassee, Florida, 32301-7740  
[Matthew.Bernier@duke-energy.com](mailto:Matthew.Bernier@duke-energy.com)

Jon C. Moyle  
Moyle Law Firm  
118 North Gadsden Street  
Tallahassee, FL 32301  
[Jmoyle@Moylelaw.com](mailto:Jmoyle@Moylelaw.com)

Carlton Law Firm  
J. Michael Walls/ Blaise N. Gamba  
P.O. Box 3239  
Tampa, FL 33607-5780  
[mwalls@CFJBLaw.com](mailto:mwalls@CFJBLaw.com)

James W. Brew  
PCS Phosphate  
c/o Stone Mattheis Xenopoulos & Brew, PC.  
1025 Thomas Jefferson St. NW  
Eighth Floor, West Tower  
Washington, D.C. 20007-5201  
[Jbrew@smxblaw.com](mailto:Jbrew@smxblaw.com)

Robert Scheffell Wright/ John T. La Via, III  
Gardner Law Firm  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
[Schef@gbwlegal.com](mailto:Schef@gbwlegal.com)

J.R. Kelly/ Charles J. Rehwinkel  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street  
Room 812  
32399-1400  
[Kelly.Jr@leg.state.fl.us](mailto:Kelly.Jr@leg.state.fl.us)  
[Rehwinkel.Charles@leg.state.fl.us](mailto:Rehwinkel.Charles@leg.state.fl.us)

CERTIFICATE OF SERVICE  
DOCKET NO. 150043-EI  
PAGE 2

John T. Burnet  
Dianne Triplett  
P.O. Box 14042  
St. Petersburg, FL 33733-4042  
[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)  
[Dianne.Triplett@duke-energy.com](mailto:Dianne.Triplett@duke-energy.com)

*s/ Charles W. Murphy*

---

CHARLES W. MURPHY  
STAFF COUNSEL  
FLORIDA PUBLIC SERVICE COMMISSION  
Gerald L. Gunter Building  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Telephone: (850) 413-6191