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June 22, 2015

E-PORTAL

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


Re: Docket No. 140226-EI - Request to opt-out of cost recovery for investor-owned electric utility energy efficiency programs by Wal-Mart Stores East, LP and Sam's East, Inc. and Florida Industrial Power Users Group.

Dear Ms. Stauffer:

Attached for filing in the referenced docket, please find Florida Public Utilities Company's Prehearing Statement.

As always, please don't hesitate to let me know if you have any questions whatsoever.

Sincerely,



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

Cc:// Service List

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request to opt-out of cost recovery for investor-owned electric utility energy efficiency programs by Wal-Mart Stores East, LP and Sam's East, Inc. and Florida Industrial Power Users Group.)Docket No. 140226-EI
)
)Filed: June 22, 2015
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**FLORIDA PUBLIC UTILITIES COMPANY'S
PREHEARING STATEMENT**

Consistent with Order No. 15-0149-PCO-EI, issued April 1, 2015, Florida Public Utilities Company ("FPUC") hereby submits this Prehearing Statement:

a. All Known Witnesses

None.

b. All Known Exhibits

None.

c. FPUC's Statement of Basic Position

FPUC: FPU believes that allowing non-residential customers to "opt out" of energy efficiency programs is not appropriate, nor necessary, at this time. If the Commission determines that certain customers should be allowed to opt out, well-defined criteria should be established to protect other participating ratepayers, as well as the utility, from incurring additional costs as a result of a non-residential customer's decision not to participate in the programs.

d. FPUC's Position on the Issues

ISSUE 1: 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.

ISSUE 2: 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, not without the implementation of carefully constructed criteria that will hold all customers and the utility harmless. Otherwise, allowing non-residential customers to 'opt-out' may result in cross-subsidization and would also ignore the benefits of such programs to the general body of ratepayers as whole, contrary to FEECA.

ISSUE 3: 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: Criteria should be established that hold all customers, as well as the utility, harmless. Such criteria might include, among other things, consideration of whether the customer electing to 'opt out' has received any rebates through the utility's energy efficiency programs prior to electing to no longer participate in the programs.

e. Stipulated Issues

There are no stipulated issues at this time.

f. Pending Motions

FPUC has no pending motions at this time.

g. Pending Confidentiality Claims or Requests

FPUC has no pending requests for confidential classification.

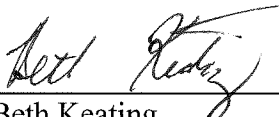
h. Objections to Witness Qualifications as an Expert

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

i. Compliance with Order No. 15-0149-PCO-EI

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

RESPECTFULLY SUBMITTED this 22nd day of June, 2015.



Beth Keating
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail or U.S. Mail to the following parties of record this 22nd day of June, 2105.

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June 22, 2015

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