

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost Recovery Clause)
_____) **Docket No. 160009-EI**
) **Filed: June 30, 2016**

**PREHEARING STATEMENT OF
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC.
d/b/a PCS PHOSPHATE – WHITE SPRINGS**

Pursuant to the Florida Public Service Commission’s March 11, 2016, *Order Establishing Procedure*, Order No. PSC-16-0105-PCO-EI, (“*Procedural Order*”), White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorney, files its Prehearing Statement.

A. APPEARANCES

James W. Brew
Laura A. Wynn
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007
Tel: (202) 342-0800
Fax: (202) 342-0807
E-mail: jbrew@smxblaw.com
law@smxblaw.com

B. WITNESSES

PCS Phosphate will sponsor no witnesses.

C. EXHIBITS

PCS Phosphate may offer exhibits based on responses to discovery requests as well as the testimony offered by Duke Energy Florida (“Duke” or “DEF”) and other party witnesses at the hearing.

D. STATEMENT OF BASIC POSITION

In Docket No. 150009 on November 3, 2015, the Commission issued Order No. PSC-15-0521-FOF-EI which approved a stipulation and settlement agreement among DEF, the Office of Public Counsel (“OPC”) and other consumer party intervenors, including PCS Phosphate. That stipulation provided, among other issues, that costs and credits associated with the Levy Nuclear Project would be addressed in the 2017 NCRC proceeding. Consequently, the testimony and dollar amounts provided by DEF in the instant filing are for information only and should not be applied to the factors to be recovered from DEF ratepayers in 2017. DEF has not proposed to recover any of those costs in this docket.

Also, PCS takes no position regarding the costs related to the CR3 EPU project that were addressed by the Commission in the Revised and Restated Stipulation and Settlement Agreement (RRSSA) approved in Order No. PSC-13-0598-FOF-EI. In accordance with the prior stipulations, PCS expressly preserves its rights to make any assertions and claims in the 2017 hearing cycle that have not been finally decided by prior Commission orders.

E. STATEMENT ON SPECIFIC ISSUES

With respect to the various issues presented in this proceeding, PCS Phosphate did not object to the FPL Motion to Defer Consideration of Issues and Cost Recovery which is pending before the Commission. If the Commission grants FPL’s requested deferral, there will be no Commission determination of reasonableness of FPL costs or actions in this year’s NCRC proceeding and PCS takes no position at this time regarding

the Florida Power & Light issues (Issues 7-12). PCS Phosphate takes the following positions on the specific issues presented below as they pertain to DEF:

Duke Energy Florida, Inc., Issues

Issue 1: **Should the Commission find that during 2015, DEF’s project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Levy Units 1 & 2 project?**

PCS Phosphate: No position.

Issue 2: **Should the Commission find that during 2015, DEF’s project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Crystal River Unit 3 Uprate project?**

PCS Phosphate: No position.

Issue 3: **What jurisdictional amounts should the Commission approve as DEF’s actual 2015 prudently incurred costs for the Crystal River Unit 3 Uprate project?**

PCS Phosphate: No position.

Issue 4: **What jurisdictional amounts should the Commission approve as reasonably estimated 2016 exit and wind down costs and carrying costs for the Crystal River Unit 3 Uprate Project?**

PCS Phosphate: No position.

Issue 5: **What jurisdictional amounts should the Commission approve as reasonably projected 2017 exit and wind down costs and carrying costs for the Crystal River Unit 3 Uprate Project?**

PCS Phosphate: No position.

Issue 6: **What is the total jurisdictional amount to be included in establishing DEF’s 2017 Capacity Cost Recovery Clause Factor?**

PCS Phosphate: No position.

F. STIPULATED ISSUES

None at this time.

G. PENDING MOTIONS

None.

H. PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY

None.

I. OBJECTIONS TO QUALIFICATIONS OF WITNESS AS EXPERT

None at this time.

J. REQUIREMENTS OF ORDER ESTABLISHING PROCEDURE

There are no requirements of the *Procedural Order* with which PCS Phosphate cannot comply.

Respectfully submitted the 30th day of June, 2016.

STONE MATTHEIS XENOPOULOS & BREW, PC

s/ James W. Brew _____

James W. Brew

Laura A. Wynn

Stone Mattheis Xenopoulos & Brew, PC

1025 Thomas Jefferson St., NW

Eighth Floor, West Tower

Washington, DC 20007

Attorney for

White Springs Agricultural Chemicals, Inc.

d/b/a/ PCS Phosphate – White Springs

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been furnished by electronic mail and/or U.S. Mail this 30th day of June 2016 to the following:

Robert Scheffel Wright
John T. LaVia
Florida Retail Federation
c/o Gardner Law Firm
1300 Thomaswood Drive
Tallahassee, FL 32308
Schef@gbwlegal.com
Jlavia@gbwlegal.com

Charles Rehwinkel
Erik Saylor
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400
rehwinkel.charles@leg.state.fl.us
saylor.erik@leg.state.fl.us

Matthew R. Bernier
Duke Energy Florida, Inc.
106 E. College Ave., Suite 800
Tallahassee, FL 32301
Matthew.Bernier@duke-energy.com

George Cavros
Southern Alliance for Clean Energy
120 E. Oakland Park Blvd, Ste. 105
Fort Lauderdale, FL 33334
George@cavroslaw.com

Dianne M. Triplett
Duke Energy Florida, Inc.
299 First Avenue North
St. Petersburg, FL 33701
Dianne.triplett@duke-energy.com

Victoria Méndez
Xavier Alban
City of Miami
444 SW 2nd Ave, Suite 945
Miami, FL 33130-1910
vmendez@miamigov.com

Kyesha Mapp
Margo Leathers
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
kmapp@psc.fl.state.us

Jessica Cano
Kevn I.C. Donaldson
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
Jessica.Cano@fpl.com

Jon C. Moyle, Jr.
Florida Industrial Power Users Group
c/o Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com

Kenneth A. Hoffman
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1858
Ken.Hoffman@fpl.com

Robert H. Smith (14)
11340 Heron Bay Blvd. #2523
Coral Springs, FL 33076
rpjrb@yahoo.com

s/ Laura A. Wynn