

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Storm Protection Plan Cost Recovery) Docket No. 20230010-EI
Clause) Filed: August 7, 2023
_____)

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

Pursuant to the Florida Public Service Commission’s *Order Establishing Procedure*, Order No. PSC-20230090-PCO-EI, issued February 15, 2023, as modified by the *First Order Revising Order Establishing Procedure*, Order No. PSC-20230105-PCO-EI, issued March 20, 2023, and the *Order Granting Staff’s Motion to Modify Order Establishing Procedural Schedule*, Order No. PSC-2023-0178-PCO-EI, issued June 12, 2023, White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS Phosphate”), through its undersigned attorneys, files its Prehearing Statement in the above matter.

A. APPEARANCES

James W. Brew
Laura Wynn Baker
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson Street, NW
Suite 800 West
Washington, D.C. 20007
(202) 342-0800
(202) 342-0807 (fax)
Email: jbrew@smxblaw.com
lwb@smxblaw.com

B. WITNESSES

PCS Phosphate does not plan to call any witnesses at this time.

C. EXHIBITS

PCS Phosphate does not plan to offer any exhibits at this time, but may introduce exhibits during the course of cross-examination.

D. STATEMENT OF BASIC POSITION

DEF has filed for recovery of costs of its Storm Protection Plan (“SPP”), which was approved in 2022.¹ DEF’s approved SPPCRC revenue requirement for 2023 was \$148,089,537² and its proposed SPPCRC revenue requirement for 2024 is \$201,270,792, which is a 36% overall revenue requirement increase. According to DEF’s approved Storm Protection Plan, the utility’s 2023 SPP investments are supposed to begin generating substantial system benefits in the form of reduced outage times and restoration costs.³ The Commission should begin requiring DEF to include in its annual SPPCRC filings an assessment of system benefits realized by program.

E. STATEMENT ON SPECIFIC ISSUES

COMPANY SPECIFIC ISSUES

FPL

OPC Proposed Issued 1A: Has FPL demonstrated that the programs and projects contained in its current SPP plan and on which it is basing cost recovery, are prudent to undertake and prudent in amount?

PCS Phosphate: No position.

OPC Proposed Issued 1B: Has the Commission properly determined, pursuant to Section 366.06(1), Fla. Stat., that the projected expenditures proposed for cost recovery by FPL are prudent?

PCS Phosphate: No position.

¹ Docket 20220050-EI, *Amended Final Order Approving, With Modifications, Duke Energy Florida’s Storm Protection Plan*, Order No. PSC-2022-0388A-FOF-EI (Nov. 14, 2022) (“2022 SPP Approval Order”).

² See Docket No. 20220010-EI, *Final Order Approving Storm Cost Recovery Amounts and Related Tariffs for the Period January 2023 Through December 2023*, Order No. PSC-2022-0418-FOF-EI (Dec. 12, 2022) at 7.

³ See 2022 SPP Approval Order.

DEF

OPC Proposed Issued 2A: Has DEF demonstrated that the programs and projects contained in its current SPP plan and on which it is basing cost recovery, are prudent to undertake and prudent in amount?

PCS Phosphate: Agree with OPC.

OPC Proposed Issued 2B: Has the Commission properly determined, pursuant to Section 366.06(1), Fla. Stat., that the projected expenditures proposed for cost recovery by DEF are prudent?

PCS Phosphate: Agree with OPC.

TECO

OPC Proposed Issued 3A: Has Tampa Electric demonstrated that the programs and projects contained in its current SPP plan and on which it is basing cost recovery, are prudent to undertake and prudent in amount?

PCS Phosphate: No position.

OPC Proposed Issued 3B: Has the Commission properly determined, pursuant to Section 366.06(1), Fla. Stat., that the projected expenditures proposed for cost recovery by Tampa Electric are prudent?

PCS Phosphate: No position.

FPUC

OPC Proposed Issued 4A: Has FPUC demonstrated that the programs and projects contained in its current SPP plan and on which it is basing cost recovery, are prudent to undertake and prudent in amount?

PCS Phosphate: No position.

OPC Proposed Issued 4B: Has the Commission properly determined, pursuant to Section 366.06(1), Fla. Stat., that the projected expenditures proposed for cost recovery by FPUC are prudent?

PCS Phosphate: No position.

OPC Proposed Issued 4C: Due to the proposed change in the cost allocation, did the Commission have adequate notice of the rate impacts caused by the capital expenditures under FPUC's current SPP so that the Commission could determine whether FPUC's projects and programs were prudent?

PCS Phosphate: No position.

ISSUE 5: What amounts should the Commission approve as the Utilities' final 2022 prudently incurred costs and final jurisdictional revenue requirement true-up amount for the Storm Protection Plan Cost Recovery Clause?

PCS Phosphate: Agree with OPC.

ISSUE 6: What amounts should the Commission approve as the Utilities' reasonably estimated 2023 costs and estimated jurisdictional revenue requirement true-up amount for the Storm Protection Plan Cost Recovery Clause?

PCS Phosphate: Agree with OPC.

ISSUE 7: What amounts should the Commission approve as the Utilities' reasonably projected 2024 costs and projected jurisdictional revenue requirement amount for the Storm Protection Plan Cost Recovery Clause?

PCS Phosphate: Agree with OPC.

ISSUE 8: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional revenue requirements, including true-ups, to be included in the Storm Protection Plan Cost Recovery factors for 2024?

PCS Phosphate: Agree with OPC.

ISSUE 9: What depreciation rates should be used to develop the depreciation expense included in the total Storm Protection Plan Cost Recovery Clause amounts for 2024?

PCS Phosphate: Agree with OPC.

ISSUE 10: What are the appropriate jurisdictional separation factors for 2024?

PCS Phosphate: Agree with OPC.

ISSUE 11: What are the appropriate Storm Protection Plan Cost Recovery Clause factors for 2024 for each rate class?

PCS Phosphate: Agree with OPC.

ISSUE 12: What should be the effective date of the new Storm Protection Plan Cost Recovery Clause factors for billing purposes?

PCS Phosphate: Agree with OPC.

ISSUE 13: Should the Commission approve revised tariffs reflecting the new Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding?

PCS Phosphate: Agree with OPC.

ISSUE 14: Should this docket be closed?

PCS Phosphate: No position.

F. PENDING MOTIONS

None.

G. PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY

None.

H. OBJECTIONS TO QUALIFICATIONS OF WITNESS AS EXPERT

None at this time.

I. REQUIREMENTS OF ORDER ESTABLISHING PROCEDURE

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

Respectfully submitted,

STONE MATTHEIS XENOPOULOS & BREW, PC

/s/ James W. Brew

James W. Brew

Laura Wynn Baker

1025 Thomas Jefferson Street, NW

Eighth Floor, West Tower

Washington, D.C. 20007

(202) 342-0800

(202) 342-0807 (fax)

E-mail: jbrew@smxblaw.com

laura.baker@smxblaw.com

*Attorneys for White Springs Agricultural Chemicals, Inc.
d/b/a PCS Phosphate – White Springs*

Dated: August 7, 2023

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Prehearing Statement of PCS Phosphate has been furnished by electronic mail this 7th of August 2023, to the following:

Stone Mattheis Xenopoulos & Brew, PC
Peter J. Mattheis/Michael K. Lavanga/Joseph
R. Briscar
1025 Thomas Jefferson St., NW, Ste. 800
West
Washington DC 20007
jrb@smxblaw.com
mkl@smxblaw.com
pjm@smxblaw.com

Matthew R. Bernier/Robert L.
Pickels/Stephanie A. Cuello
Duke Energy
106 East College Avenue, Suite 800
Tallahassee FL 32301-7740
FLRegulatoryLegal@duke-energy.com
matthew.bernier@duke-energy.com
robert.pickels@duke-energy.com
stephanie.cuello@duke-energy.com

Tampa Electric Company
Ms. Paula K. Brown
Regulatory Affairs
P. O. Box 111
Tampa FL 33601-0111
regdept@tecoenergy.com

Shaw Stiller
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
sstiller@psc.state.fl.us

Florida Power & Light Company
Kenneth A. Hoffman
134 W. Jefferson Street
Tallahassee FL 32301
Kenneth.Hoffman@fpl.com

Florida Public Utilities Company
Mr. Mike Cassel
208 Wildlight Ave.
Yulee FL 32097
mcassel@fpuc.com

Ausley Law Firm
V. Ponder/J. Wahlen/M. Means
P.O. Box 391
Tallahassee FL 32302
vponder@ausley.com
jwahlen@ausley.com
mmeans@ausley.com

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

Florida Public Utilities Company
Michelle D. Napier
1635 Meathe Drive
West Palm Beach FL 33411
mnapier@fpuc.com

Nucor Steel Florida, Inc.
Corey Allain
22 Nucor Drive
Frostproof FL 33843
corey.allain@nucor.com

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

Danijela Janjic/P. Christensen/C.
Rehwinkel/M. Wessling
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
Janjic.Danijela@leg.state.fl.us
wessling.mary@leg.state.fl.us

Florida Power & Light Company
Christopher T. Wright
700 Universe Boulevard
Juno Beach FL 33408-0420
Christopher.Wright@fpl.com

Gunster Law Firm
Beth Keating
215 South Monroe Street, Suite 601
Tallahassee FL 32301
bkeating@gunster.com

/s/ Laura Wynn Baker