

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 20230007-EI

FILED: October 6, 2023

THE FLORIDA INDUSTRIAL POWER USERS GROUP
PREHEARING STATEMENT

The Florida Industrial Power Users Group, (“FIPUG”), through counsel and pursuant to the Order Establishing Procedure in this docket, Order No. PSC-2023-0088-PCO-EI, issued February 15, 2023, and pursuant to the First Order Modifying Procedure, Order No. PSC-2022-0099-PCO-EI, hereby submit this Prehearing Statement.

APPEARANCES:

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
Telephone: (850)681-3828
Facsimile: (850)681-8788
jmoyle@moylelaw.com
kputnal@moylelaw.com

Counsel for FIPUG

1. WITNESSES:

FIPUG does not intend, at this time, to call witnesses, but reserves the right to call and question witnesses identified by other parties as permitted.

2. EXHIBITS:

FIPUG does not intend, at this time, to introduce exhibits, but reserves the right to use and introduce exhibits at hearing as permitted.

3. STATEMENT OF BASIC POSITION

The utilities bear the burden of proof to justify the recovery of costs they request in this docket as reasonable and prudent. The utilities must carry this burden regardless of whether or

not FIPUG or other parties introduce evidence to the contrary. The utilities must also carry their burden of proof to support their proposal(s) asking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought.

4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

GENERIC ENVIRONMENTAL COST RECOVERY ISSUES

ISSUE 1: What are the final environmental cost recovery true-up amounts for the period January 2022 through December 2022?

FIPUG: Adopt position of OPC.

ISSUE 2: What are the actual/estimated environmental cost recovery true-up amounts for the period January 2023 through December 2023?

FIPUG: Adopt position of OPC.

ISSUE 3: What are the projected environmental cost recovery amounts for the period January 2024 through December 2024?

FIPUG: Adopt position of OPC.

ISSUE 4: What are the environmental cost recovery amounts, including true-up amounts, for the period January 2024 through December 2024?

FIPUG: Adopt position of OPC.

ISSUE 5: What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery amounts for the period January 2024 through December 2024?

FIPUG: Adopt position of OPC.

ISSUE 6: What are the appropriate jurisdictional separation factors for the projected period January 2024 through December 2024?

FIPUG: Adopt position of OPC.

ISSUE 7: What are the appropriate environmental cost recovery factors for the period January 2024 through December 2024 for each rate group?

FIPUG: Adopt position of OPC.

ISSUE 8: What should be the effective date of the new environmental cost recovery factors for billing purposes?

FIPUG: Adopt position of OPC.

ISSUE 9: Should the Commission approve revised tariffs reflecting the environmental cost recovery amounts and environmental cost recovery factors determined to be appropriate in this proceeding?

FIPUG: Adopt position of OPC.

ISSUE 10: Should this docket be closed?

FIPUG: No.

COMPANY-SPECIFIC ENVIRONMENTAL COST RECOVERY ISSUES

Florida Power & Light Company (FPL):

ISSUE 11: Should FPL be allowed to recover, through the ECRC, prudently incurred costs associated with its proposed modification to its St. Lucie Turtle Nest Project?

FIPUG: Adopt position of OPC.

ISSUE 12: Should FPL be allowed to recover, through the ECRC, prudently incurred costs associated with its proposed modification to its Solar Site Avian Monitoring and Reporting Project?

FIPUG: Adopt position of OPC.

Duke Energy Florida, LLC (DEF):

ISSUE 13: Should the Commission approve DEF's Reclaimed Water Interconnection Project for cost recovery through the ECRC?

FIPUG: Adopt position of OPC.

ISSUE 14: How should the approved costs related to DEF's Reclaimed Water Interconnection Project be allocated to the rate classes?

FIPUG: Adopt position of OPC.

ISSUE 15: Should the Commission approve DEF's Lead and Copper Rule Project for cost recovery through the ECRC?

FIPUG: Adopt position of OPC.

ISSUE 16: How should the approved costs related to DEF's Lead and Copper Rule Project be allocated to the rate classes?

FIPUG: Adopt position of OPC.

E. STIPULATED ISSUES

None at this time.

F. PENDING MOTIONS

FIPUG has no pending motions at the time.

G. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY

FIPUG has no pending requests for claims for confidentiality.

H. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT

None at this time.

I. SEQUESTRATION OF WITNESSES

FIPUG does not intend to seek the sequester at this time.

J. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE

There are no requirements of the Order Establishing Procedure with which FIPUG cannot comply.

Dated this 6th day of October

/s/ Jon C. Moyle

Jon C. Moyle, Jr.

Karen A. Putnal

Moyle Law Firm, P.A.

118 North Gadsden Street

Tallahassee, Florida 32301

Telephone: (850)681-3828

Facsimile: (850)681-8788

jmoyle@moylelaw.com

kputnal@moylelaw.com

CERTIFICATE OF SERVICE
DOCKET NO. 20230007-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Prehearing Statement has been furnished by electronic mail on this 6th day of October, 2023, to the following:

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

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

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

Charles Rehwinkel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Rm 812
Tallahassee, FL 32399-1400
rehwinkel.charles@leg.state.fl.us

Kenneth A. Hoffman
Florida Power & Light Company
134 W. Jefferson Street
Tallahassee FL 32301-1859
ken.hoffman@fpl.com

Maria Jose Moncada/David Lee
Florida Power & Light Company
700 Universe Boulevard
Juno Beach FL 33408-0420
maria.moncada@fpl.com
david.lee@fpl.com

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

James W. Brew/Laura Wynn Baker
PCS Phosphate - White Springs
c/o Stone Law Firm
1025 Thomas Jefferson St., NW,
Eighth Floor, West Tower
Washington DC 20007
jbrew@smxblaw.com
lwb@smxblaw.com

/s/ Jon C. Moyle
Jon C. Moyle, Jr.

