

ORIGINAL



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STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

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RECORDS AND
REPORTING

October 27, 2000

Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: Docket No. 000007-EI

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of the Prehearing Statement of the Office of Public Counsel in the above-referenced docket.

Also enclosed is a 3.5 inch diskette containing the Prehearing Statement of the Office of Public Counsel in WordPerfect for Windows 6.1. Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Stephen C. Burgess
Deputy Public Counsel

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

13838 OCT 27 8

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost)
recovery clause.)
_____)

Docket No. 980007-EI

Filed: October 27, 2000

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through their attorney, the Public Counsel, hereby file this Prehearing Statement to identify all of the issues of which the Citizens are aware.

APPEARANCES:

STEPHEN C. BURGESS, Esquire
Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400
On behalf of the Citizens of the State of Florida

A. WITNESSES:

None.

B. EXHIBITS:

None.

C. STATEMENT OF BASIC POSITION

None necessary.

DOCUMENT NUMBER-DATE

13838 OCT 27 8

FPSC-RECORDS/REPORTING

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

Generic Environmental Cost Recovery Issues

ISSUE 1: What are the appropriate final environmental cost recovery true-up amounts for the period ending December 31, 1999?

OPC: Agree with Staff.

ISSUE 2: What are the estimated environmental cost recovery true-up amounts for the period January, 2000 through December, 2000?

OPC: Agree with Staff.

ISSUE 3: What are the total environmental cost recovery true-up amounts to be collected or refunded during the period January, 2001 through December, 2001?

OPC: Agree with Staff.

ISSUE 4: What are the appropriate projected environmental cost recovery amounts for the period January, 2001 through December, 2001?

OPC: Agree with Staff.

ISSUE 5: What should be the effective date of the environmental cost recovery factors for billing purposes?

OPC: No position at this time.

ISSUE 6: What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery true-up amounts for the period January, 2001 through December, 2001?

OPC: Agree with Staff.

ISSUE 7: What are the appropriate jurisdictional separation factors for the projected period January, 2001 through December, 2001?

OPC: No position at this time.

ISSUE 8: What are the appropriate Environmental Cost Recovery Factors for the period January, 2001 through December 2001, for each rate group?

OPC: No position at this time.

Company-Specific Environmental Cost Recovery Issues

Florida Power & Light Company

ISSUE 9: What effect does Florida Power & Light Company's stipulation have on ECRC?

OPC: Florida Power & Light Company should be required to follow the provisions of the stipulation.

Gulf Power Company

ISSUE 10: Should the Commission approve Gulf Power Company's request for recovery costs of the Generic NO_x Control Intelligent System to Plant Smith Unit 1 project through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 10A: How should the newly proposed environmental costs for the Generic NO_x Control Intelligent System to Plant Smith Unit 1 project be allocated to the rate classes?

OPC: No position at this time.

ISSUE 10B: Should the Commission approve Gulf Power Company's request for recovery of costs for the Consumptive Water Use Monitoring Activity through the Environmental Cost Recovery Clause?

OPC: No.

ISSUE 10C: How should the newly proposed environmental costs for the Consumptive Water Use Monitoring Activity be allocated to the rate classes?

OPC: No position at this time.

ISSUE 10D: Should the Commission approve Gulf Power Company's request for recovery of costs for Gulf Coast Ozone Study through the Environmental Cost Recovery Clause?

OPC: No position at this time.

Tampa Electric Company

ISSUE 11: Should the Commission approve Tampa Electric Company's request for recovery of costs of the Big Bend Units 1, 2, and 3 Flue Gas Desulfurization System Optimization and Utilization Program through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 11A: How should the newly proposed environmental costs for the Big Bend Units 1, 2, and 3 Flue Gas Desulfurization System Optimization and Utilization Program be allocated to the rate classes?

OPC: No position at this time.

ISSUE 11B: Should the Commission approve Tampa Electric Company's request for recovery of costs of the Particulate Emission Minimization and Monitoring Program through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 11C: How should the newly proposed environmental costs for the Particulate Emission Minimization and Monitoring Program be allocated to the rate classes?

OPC: No position at this time.

ISSUE 11D: Should the Commission approve Tampa Electric Company's request for the recovery of costs of the Reduction of Nitrogen Oxide Emission Program through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 11E: How should the newly proposed environmental costs for the Reduction of Nitrogen Oxide Emission Program be allocated to the rate of classes?

OPC: No position at this time.

ISSUE 11F: Should the Commission approve Tampa Electric Company's request for the recovery of costs of the Big Bend Unit 4 Particulate Matter Continuous Emission Monitor through the Environmental Cost Recovery Clause?

OPC: No position at this time.

ISSUE 11G: How should the newly proposed environmental costs for the Big Bend Unit 4 Particulate Matter Continuous Emission Monitor be allocated to the rate of classes?

OPC: No position at this time.

E. STATEMENT OF LEGAL ISSUES AND POSITIONS: None at this time.

F. STATEMENT OF POLICY ISSUES AND POSITIONS: None at this time.

G. STIPULATED ISSUES: None.

H. PENDING MOTIONS: None.

I. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

The Citizens are not aware of any requirements of the Order Establishing Procedure with which the Office of Public Counsel cannot comply.

Respectfully submitted,

JACK SHREVE
Public Counsel



Stephen C. Burgess
Deputy Public Counsel

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Attorneys for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 000007-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Prehearing Statement of the Office of Public Counsel has been furnished by U.S. Mail or hand-delivery (*) on this 27th day of October, 2000, to the following:

Marlene K. Stern, Esquire*
Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0872

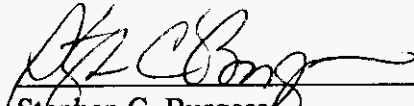
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