

ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION

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In re: Petition on behalf of Citizens of the State of Florida to require Progress Energy Florida, Inc. to refund customers \$143 million.

DOCKET NO. 060658-EI

FILED: FEBRUARY 26, 2007

COMMISSION
CLERK

STAFF'S PRELIMINARY LIST OF ISSUES AND POSITIONS

Pursuant to Order No. PSC-07-0048-PCO-EI, issued January 16, 2007 and Order No. PSC-07-0132-CPO-EI, issued February 15, 2007, establishing the prehearing procedure in this docket, the Staff of the Florida Public Service Commission hereby files its Preliminary List of Issues and Positions.

LIST OF ISSUES

ISSUE 1: Did PEF act prudently in purchasing coal for Crystal River Units 4 and 5 beginning in 1996 and continuing to 2005?

POSITION: No position at this time.

ISSUE 2: If the Commission determines that PEF acted imprudently in its coal purchases, should PEF be required to refund customers for coal purchased to run Crystal River Units 4 and 5 during the time period of 1996 – 2005?

POSITION: No position at this time.

ISSUE 3: If the Commission determines that PEF should be required to refund customers for coal purchased to run Crystal River Units 4 and 5, what amount should be refunded?

POSITION: No position at this time.

ISSUE 4: If the Commission determines that PEF should be required to refund customers for coal purchased to run Crystal River Units 4 and 5, how and when should such refund be accomplished?

POSITION: No position at this time.

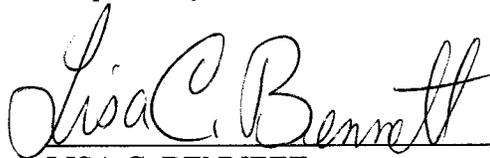
DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Dated this 26th day of February, 2007.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lisa C. Bennett". The signature is written in black ink and is positioned above a horizontal line.

LISA C. BENNETT

Staff Attorney

FLORIDA PUBLIC SERVICE COMMISSION

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LCB

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition on behalf of Citizens of the State
of Florida to require Progress Energy Florida,
Inc. to refund customers \$143 million.

DOCKET NO. 060658-EI

FILED: FEBRUARY 26, 2007

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of STAFF'S PRELIMINARY LIST
OF ISSUES AND POSITIONS has been served by electronic mail and U. S. Mail to the
following this 26th day of February, 2007:

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