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Subject: FPSC Docket No. 080009 - PCS Phosphate Prehearing Statement
Attachments: P-PCS Prehearing Statement.doc

a. Person responsible for filing

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b. Docket No. 080009-EI, In re: Nuclear cost recovery clause

c. Filed on behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs

d. Total Pages = 13

e. Prehearing Statement of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate White Springs (attached as P-PCS-Prehearing Statement.doc)

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

Pursuant to the Florida Public Service Commission's March 31, 2008 *Order Establishing Procedure*, Order No. PSC-08-0211-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

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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:

D. STATEMENT OF BASIC POSITION

PCS Phosphate generally accepts and adopts the positions taken by the Florida Office of Public Counsel ("OPC"). Further, PCS Phosphate maintains that the Commission must carefully scrutinize the nuclear project cost and scheduling information

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provided by Progress Energy Florida (“Progress”). PCS Phosphate supports the stipulation reached between OPC and Progress that no prudence determination will be sought in this proceeding.

E. STATEMENT ON SPECIFIC ISSUES

With respect to the various issues presented in this proceeding, PCS Phosphate takes no position regarding the resolution of the issues with respect to Florida Power & Light. PCS Phosphate takes the following positions on the specific issues presented below as they pertain to Progress:

Policy/Legal Issues

Issue 1A: Should Progress Energy Florida, Inc. and Florida Power & Light Company be allowed to recover through the Nuclear Cost Recovery Clause revenue requirements for a phase or portion of a system associated with a power plant, after such phases or portion of the project has been placed into commercial service, or should such phases or portion of the project be recovered through base rates?

PCS Phosphate: No position at this time.

Issue 1B: If recovery of costs for a phase or portion of a system associated with a power plant that is in commercial service continues through the Nuclear Cost Recovery Clause, how should the revenue requirements for that phase or portion be determined?

PCS Phosphate: No position at this time.

Issue 1C: How should the completion of site clearing work be determined for purposes of distinguishing between pre-construction and construction costs for recovery under the clause?

PCS Phosphate: No position at this time.

Issue 1D: Should a utility be required to inform the Commission of any change in ownership or control of any asset which was afforded cost recovery under the Nuclear Cost Recovery Clause?

PCS Phosphate: Yes.

ISSUE 1E: What is the appropriate procedure to reduce and refund NPCR charges to retail customers when a utility sells a portion of a nuclear unit to a municipality or another investor owned utility?

PCS Phosphate: No position at this time.

2007 Project Management and Oversight Controls

Florida Power & Light Company

Issue 2A: Should the Commission find that for the year 2007, FPL's project management, contracting, and oversight controls were reasonable and prudent for the Turkey Point 6 & 7 project and for the Extended Power Uprate (EPU) project?

PCS Phosphate: No position.

Issue 2B: Should the Commission find that for the year 2007, FPL's accounting and costs oversight controls were reasonable and prudent for the Turkey Point 6 & 7 project and for the EPU project?

PCS Phosphate: No position.

Progress Energy Florida, Inc.

Issue 3A: Should the Commission find that for the year 2007, PEF's project management, contracting, and oversight controls were reasonable and prudent for Levy Units 1 & 2 project and the Crystal River 3 Uprate project?

PCS Phosphate: No position at this time.

Issue 3B: Should the Commission find that for the year 2007, PEF's accounting and costs oversight controls were reasonable and prudent for Levy Units 1 & 2 project and the Crystal River 3 Uprate project?

PCS Phosphate: No position at this time.

Company Specific Site Selection Costs

Florida Power & Light Company

Issue 4A: Should the Commission grant FPL's request to include the review and approval for recovery through the Nuclear Cost Recovery Clause of prudently incurred site selection costs for the Turkey Point Unit 6 & 7 project?

PCS Phosphate: No position.

Issue 4B: What amount should the Commission approve as FPL's final 2007 true-up of prudently incurred site selection costs for the Turkey Point Units 6 & 7 project?

PCS Phosphate: No position.

Progress Energy Florida, Inc.

Issue 5A: Should the Commission grant PEF's request to include the review and approval for recovery through the Nuclear Cost Recovery Clause of prudently incurred site selection costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC

Issue 5B: What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred site selection costs for the Levy Units 1 & 2 Project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 5C: What amount should the Commission approve as PEF's actual 2008 site selection costs for the Levy Units 1 & 2 Project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Company Specific True Up Preconstruction and Construction Costs (2007)

Florida Power & Light Company

Issue 6A: What amount should the Commission approve as FPL's final 2007 true-up of prudently incurred preconstruction costs for the Turkey Point Units 6 & 7 project?

PCS Phosphate: No position.

Issue 6B: What total amount should the Commission approve as FPL's final 2007 true-up to be recovered for the Turkey Point Units 6 & 7 project?

PCS Phosphate: No position.

Issue 6C: What amount should the Commission approve as FPL's final 2007 true-up of prudently incurred construction costs for the EPU project?

PCS Phosphate: No position.

Issue 6D: What amount should the Commission approve as carrying charges on FPL's prudently incurred 2007 construction costs for the EPU project?

PCS Phosphate: No position.

Issue 6E: What total amount should the Commission approve as FPL's final 2007 true-up to be recovered for the EPU project?

PCS Phosphate: No position.

Issue 6F: Has FPL demonstrated that the uprate-related costs it seeks to recover in this docket are incremental to those it would incur in conjunction with

providing safe and reliable service during the period associated with the extension of its operating license, had there been no uprate project?

PCS Phosphate: No position.

Progress Energy Florida, Inc.

Issue 7A: What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred preconstruction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 7B: What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 7C: What amount should the Commission approve as carrying charges on PEF's prudently incurred 2007 construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 7D: What total amount should the Commission approve as PEF's final 2007 true-up to be recovered for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 7E: What amount should the Commission approve as PEF's final 2007 true-up of prudently incurred construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 7F: What amount should the Commission approve as carrying charges on PEF's prudently incurred 2007 construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 7G: What total amount should the Commission approve as PEF's final 2007 true-up to be recovered for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 7H: Has PEF demonstrated that the uprate-related costs it seeks to recover in this docket are incremental to those it would incur in conjunction with providing safe and reliable service during the period associated with the extension of its operating license, had there been no uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Company Specific Actual/Estimated Preconstruction and Construction Costs (2008)

Florida Power & Light Company

Issue 8A: What amount should the Commission approve as FPL's 2008 actual and estimated preconstruction costs for the Turkey Point Units 6 & 7 project?

PCS Phosphate: No position.

Issue 8B: What total amount should the Commission approve as FPL's 2008 actual and estimated costs to be recovered for the Turkey Point Units 6 & 7 project?

PCS Phosphate: No position.

Issue 8C: What amount should the Commission approve as FPL's 2008 actual and estimated construction costs for the EPU project?

PCS Phosphate: No position.

Issue 8D: What amount should the Commission approve as carrying charges on FPL's 2008 actual and estimated construction costs for the EPU project?

PCS Phosphate: No position.

Issue 8E: What total amount should the Commission approve as FPL's 2008 actual and estimated costs to be recovered for the EPU project?

PCS Phosphate: No position.

Progress Energy Florida, Inc.

Issue 9A: What amount should the Commission approve as PEF's 2008 actual and estimated preconstruction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 9B: What amount should the Commission approve as PEF's 2008 actual and estimated construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 9C: What amount should the Commission approve as carrying charges on PEF's 2008 actual and estimated construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 9D: What total amount should the Commission approve as PEF's 2008 actual and estimated costs to be recovered for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 9E: What amount should the Commission approve as PEF's 2008 actual and estimated construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 9F: What amount should the Commission approve as carrying charges on PEF's 2008 actual and estimated construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 9G: What total amount should the Commission approve as PEF's 2008 actual and estimated costs to be recovered for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Company Specific Projected Preconstruction and Construction Costs (2009)

Florida Power & Light

Issue 10A: What amount should the Commission approve as FPL's 2009 projected preconstruction costs for the Turkey Point Units 6 & 7 project?

PCS Phosphate: No position.

Issue 10B: What total amount should the Commission approve as FPL's 2009 projected costs to be recovered for the Turkey Point Units 6 & 7 project?

PCS Phosphate: No position.

Issue 10C: What amount should the Commission approve as FPL's 2009 projected construction costs for the EPU project?

PCS Phosphate: No position.

Issue 10D: What amount should the Commission approve as carrying charges on FPL's 2009 projected construction costs for the EPU project?

PCS Phosphate: No position.

Issue 10E: What total amount should the Commission approve as FPL's 2009 projected costs to be recovered for the EPU project?

PCS Phosphate: No position.

Progress Energy Florida, Inc.

Issue 11A: What amount should the Commission approve as PEF's 2009 projected preconstruction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 11B: What amount should the Commission approve as PEF's 2009 projected construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 11C: What amount should the Commission approve as carrying charges on PEF's 2009 projected construction costs for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 11D: What total amount should the Commission approve as PEF's 2009 projected costs to be recovered for the Levy Units 1 & 2 project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 11E: What amount should the Commission approve as PEF's 2009 projected construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 11F: What amount should the Commission approve as carrying charges on PEF's 2009 projected construction costs for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Issue 11G: What total amount should the Commission approve as PEF's 2009 projected costs to be recovered for the Crystal River 3 Uprate project?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

Summary of Issues

Florida Power & Light Company

Issue 12: What total amount should the Commission approve for the Nuclear Cost Recovery Clause to be included in establishing FPL's 2009 Capacity Cost Recovery Clause factor?

PCS Phosphate: No position.

Progress Energy Florida

Issue 13: What total amount should the Commission approve for the Nuclear Cost Recovery Clause to be included in establishing PEF's 2009 Capacity Cost Recovery Clause factor?

PCS Phosphate: PCS Phosphate agrees with and adopts the position of the OPC.

F. STIPULATED ISSUES

PCS Phosphate is not a party to any stipulated issues but accepts the stipulation between Progress and OPC that agrees to defer consideration of the prudence of Levy County costs.

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 22nd day of August, 2008.

BRICKFIELD, BURCHETTE, RITTS & STONE, P.C.

s/ James W. Brew _____

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Attorneys for

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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 22nd day of August 2008 to the following:

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
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s/ F. Alvin Taylor