

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition for increase in rates by Progress Energy Florida, Inc.

DOCKET NO. 090079-EI COMMISSION CLERK
DATED: August 31, 2009

AFFIRM'S PREHEARING STATEMENT

Pursuant to Order No. PSC-09-0190-PCO-EI, issued on March 27, 2009, the Florida Association For Fairness In Rate Making (AFFIRM) files its Prehearing Statement.

a. All Known Witnesses

| | |
|--------------------|---|
| Russell L. Klepper | To provide testimony supporting AFFIRM's position that a new commercial time of use rate should be developed and implemented such that the rate charged by PEF does not unfairly discriminate against AFFIRM members for the reason that existing rates do not properly reflect the related causation of costs. |
|--------------------|---|

b. All Known Exhibits

| Exhibit | Title |
|---------|--|
| RLK -1 | Resume of Russell L. Klepper |
| RLK -2 | Typical Florida Daily Electric Load Shapes (excerpt from February 2009 Annual Report on Activities Pursuant to the Florida Energy Efficiency and Conservation Act (FEECA). |

c. AFFIRM's Statement of Basic Position

AFFIRM's basic position is that a new commercial time of use rate should be developed and implemented under which the rate charged by PEF (i) varies during different time periods and reflects the variance, if any, in the utility's cost of generation and purchasing electricity at the wholesale level; and (ii) enables the electric consumer to manage energy use and cost through advanced metering and communications technology.

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 SGA _____
 ADM _____
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d. **AFFIRM's Position on the Issues**

ISSUE 1 through ISSUE 89:

POSITION: AFFIRM has no position at this time.

ISSUE 90: What is the appropriate Cost of Service Methodology to be used to allocate base rate and cost recovery costs to the rate classes?

POSITION: 12 CP and 1/13th Average Demand.

ISSUE 91 - ISSUE 106:

POSITION: AFFIRM has no position at this time.

ISSUE 107: What is the appropriate method of designing time of use rates for PEF?
(AFFIRM Issue)

POSITION:

The appropriate method of designing time of use rates is one that produces rates that (1) vary during different time periods and (2) reflect the variance, if any, in the utility's cost of generation and purchasing electricity at the wholesale level. Moreover, the design and implantation of the rate should enable the electric consumer to manage energy use and cost through advanced metering and communications technology.

e. **Stipulated Issues**

None at this time.

f. **Pending Motions**

AFFIRM has no pending motions at this time.

g. Pending Confidentiality Claims or Requests

AFFIRM has no pending confidentiality requests at this time.

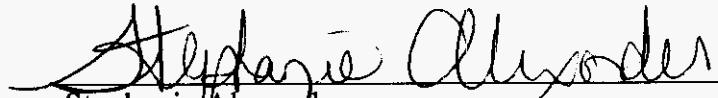
h. Objections to Witness Qualifications as an Expert

No objections.

i. Compliance with Order No. PSC-09-0190-PCO-EI

AFFIRM has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 31st day of August, 2009.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing prehearing statement was furnished to John T. Burnett/R. Alexander Glenn and that a true and correct copy was furnished by electronic and/or by U.S. Postal Mail, on this 31st day of August, 2009:

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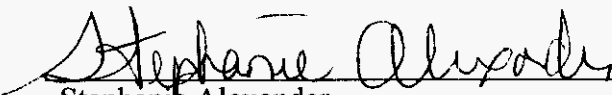
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