

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause.

DOCKET NO.: 20180009-EI

FILED: July 12, 2018

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through the Office of Public Counsel, pursuant to the Order Establishing Procedure in this docket, Order No. PSC-2018-0074-PCO-EI, issued February 09, 2018, hereby submit this Prehearing Statement.

APPEARANCES:

Charles J. Rehwinkel
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

1. **WITNESSES:**

NONE

2. **EXHIBITS:**

NONE

STATEMENT OF BASIC POSITION

The proposed recovery of costs in this docket are entirely the result of costs that have been long-determined and/or are subject to slight variation due to sales or wind-down activities plus carrying costs authorized by stipulation among the parties. The principal cost for recovery is the final installment (in the amount of \$43,159,168) of the seven year amortization of the abandoned Crystal River Unit 3 (“CR3”) uprate project that is being recovered consistent with the provisions of Section 366.093(6), Fla. Stat., as expressly recognized and provided for in the Second Revised and Restated Stipulation and Settlement Agreement (“Second RRSSA”) approved in Order PSC-2017-0451-AS-EI. The Citizens’ position is that the dollar amounts proposed for recovery in this docket are the product of long-settled and approved costs of the abandoned CR3 plant and uprate project and are beyond dispute. The Intervenor parties, including the OPC, did not agree with the costs before settlement; however, in the compromise stipulations that have preceded this hearing, the parties received value in compromise and settlement. Accordingly, the OPC can affirmatively stipulate to them in this docket. To the extent that an acceptable transition statement effectively closing out Duke Energy Florida’s (“DEF”) participation in the NCRC clause can be reached among the parties, this 2018 proceeding can be the final one for the Company as proposed under the framing of Issue 5.

4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

Duke Energy Florida

Issue 1: What jurisdictional amounts should the Commission approve as DEF’s actual 2017 prudently incurred costs for the Crystal River Unit 3 Uprate Project?

OPC: Agree with DEF.

Issue 2: What jurisdictional amounts should the Commission approve as reasonably estimated 2018 exit and wind down costs and carrying costs for the Crystal River Unit 3 Uprate Project?

OPC: Agree with DEF.

Issue 3: What jurisdictional amounts should the Commission approve as reasonably projected 2019 exit and wind down costs and carrying costs for the Crystal River Unit 3 Uprate Project?

OPC: Agree with DEF.

Issue 4: What is the total jurisdictional amount for the Crystal River Unit 3 Uprate Project to be included in establishing DEF's 2019 Capacity Cost Recovery Clause Factor?

OPC: Agree with DEF.

Issue 5: Is there a need, pursuant to Paragraph 9 of the 2017 Second Revised and Restated Stipulation and Settlement Agreement, approved in Order No. PSC-2017-0451-AS-EU, for DEF to participate in the 2019 NCRC Docket?

OPC: No position at this time pending execution of an acceptable transition stipulation among the parties.

5. STIPULATED ISSUES:

None at this time.

6. PENDING MOTIONS:

None.

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

None.

8. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

None at this time.

9. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Office of Public Counsel cannot comply.

Dated this 12th day of July, 2018

Respectfully submitted,

J.R. Kelly
Public Counsel



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Deputy Public Counsel

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Attorney for the Citizens
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CERTIFICATE OF SERVICE
Docket No. 20180009-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on this 12th day of July, 2018, to the following:

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