

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Re: Natural Gas Conservation Cost Recovery

DOCKET NO. 20210004-GU

FILED: October 5, 2021

PRE-HEARING 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-2021-0076-PCO-GU, issued February 10, 2021, as amended by Order No. PSC-2021-0209-PCO-GU and Order No. PSC- 2021-0339-PCO-GU, hereby submit this Prehearing Statement.

APPEARANCES:

Richard Gentry
Public Counsel

Charles 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

A. **WITNESSES:**

None.

B. **EXHIBITS:**

None.

C. STATEMENT OF BASIC POSITION

The utilities bear the burden of proof to justify the recovery of costs they request in this docket. The utilities must carry this burden regardless of whether or not the Interveners provide evidence to the contrary. Further, the utilities bear the burden of proof to support their proposal(s) seeking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought. Even if the Commission has previously approved a program, recovery of a cost, factor, or adjustment as meeting the Commission's own requirements, the 2 utilities still bear the burden of demonstrating that the costs submitted for final recovery meet any statutory test(s) and are reasonable in amount and prudently incurred. Further, recovery of even prudently incurred costs is constrained by the Commission's obligation to set fair, just, and reasonable rates. Further, pursuant to Section 366.01, Florida Statutes, the provisions of Chapter 366 must be liberally construed to protect the public welfare. company's last test year upon which rates are based, and such costs may not be costs that are recovered through base rates or any other cost recovery mechanism.

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

GENERIC CONSERVATION COST RECOVERY ISSUES

ISSUE 1: What are the final conservation cost recovery adjustment true-up amounts for the period January 2020 through December 2020?

OPC: No position at this time.

ISSUE 2: What are the appropriate conservation adjustment actual/estimated true-up amounts for the period January 2021 through December 2021?

OPC: No position at this time.

ISSUE 3: What are the appropriate total conservation adjustment true-up amounts to be collected/refunded from January 2022 through December 2022?

OPC: No position at this time.

ISSUE 4: What are the total conservation cost recovery amounts, net of the true-up amount, to be collected during the period January 2022 through December 2022?

OPC: No position at this time.

ISSUE 5: What are the conservation cost recovery factors for the period January 2022 through December 2022?

OPC: No position at this time; however, the factors should be based on costs deemed reasonable and or prudent after a hearing.

ISSUE 6: Should the Commission approve revised tariffs reflecting the natural gas conservation cost recovery amounts and establishing natural gas conservation cost recovery factors determined to be appropriate in this proceeding?

OPC: No position at this time; however, the factors contained in the tariff(s) should be based on costs deemed reasonable and or prudent after a hearing.

ISSUE 7: What should be the effective date of the new conservation cost recovery factors for billing purposes?

OPC: No position at this time; however, the factors should be based on costs deemed reasonable and prudent after a hearing.

ISSUE 8: Should this docket be closed?

OPC: No.

E. **STIPULATED ISSUES:**

None at this time.

F. PENDING MOTIONS:

None.

G. REQUESTS FOR CONFIDENTIALITY:

OPC has no pending requests for claims for confidentiality.

H. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

OPC has no objections to any witness' qualifications as an expert in this proceeding.

I. 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 6th day of October, 2021

Respectfully submitted,

/s/Charles Rehwinkel
Charles Rehwinkel
Deputy Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Rm 812
Tallahassee, FL 32399-1400

Attorneys for Office of Public Counsel

CERTIFICATE OF SERVICE
Docket No. 20210001-EI

I **HEREBY CERTIFY** that a true and correct copy of the Office of Public Counsel's Prehearing Statement has been furnished by electronic mail on this 5th day of October 2021, to the following:

Florida Public Utilities Company
Mike Cassel
208 Wildlight Ave.
Yulee, FL 32097
mcassel@fpuc.com

MacFarlane Ferguson Law Firm
Andrew Brown/Thomas R. Farrior
P.O. Box 1531
Tampa, FL 33601-1531
AB@macfar.com
trf@macfar.com

Theresa L. Tan, Esquire
Matthew Jones
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
ltan@psc.state.fl.us
majones@psc.state.fl.us

Florida City Gas
Kurt Howard
700 Universe Boulevard
Juno Beach FL 33408
kurt.howard@nexteraenergy.com

Peoples Gas System
Paula Brown/Karen L. Bramley
Kandi Floyd
P.O. Box 111
Tampa, FL 33601-0111
regdept@tecoenergy.com
KLBramley@tecoenergy.com

St. Joe Natural Gas Company, Inc.
Andy Shoaf
Debbie Stitt
P.O. Box 549
Port St. Joe, FL 32457-0549
Andy@stjoegas.com
dstitt@st.joegas.com

Sebring Gas System, Inc.
Jerry H. Melendy
3515 Highway 27 South Sebring FL
33870-5452
jmelendy@floridasbestgas.com

Gunster Law Firm (20a)
Beth Keating/Gregory M. Munson
215 South Monroe Street, Suite 601
Tallahassee FL 32301
bkeating@gunster.com
gmunson@gunster.com

Christopher T. Wright
Florida Power & Light Company 700
Universe Boulevard (JB/LAW) Juno
Beach, Florida 33408
Christopher.wright@fpl.com

/s/ Charles Rehwinkel
Charles Rehwinkel
Deputy Public Counsel