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STATE OF FLORIDA  
OFFICE OF THE PUBLIC COUNSEL

ORIGINAL

c/o The Florida Legislature  
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Room 812  
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850-488-9330

February 6, 1998

Ms. Blanca S. Bayó, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

RE: Docket No. 980007-EI

Dear Ms. Bayó:

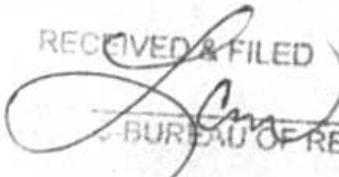
Enclosed are an original and fifteen copies of the Public Counsel's Prehearing Statement in the above-referenced docket.

Also enclosed is a 3.5 inch diskette containing the Preliminary List of Issues and Positions in WordPerfect for Windows 6.1. Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

  
John Roger Howe  
Deputy Public Counsel

JRK  
APA Handwritten  
APP \_\_\_\_\_  
GAF JRH/dsb  
CMU \_\_\_\_\_  
GTR \_\_\_\_\_  
EAG Ken  
LEG 1  
LIN 3  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1  
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

RECEIVED & FILED  
  
BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
01958 FEB-6 88  
FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost )  
recovery clause. )  
\_\_\_\_\_ )

Docket No. 980007-EI

Filed: February 6, 1998

**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-98-0047-PCO-EI, issued January 6, 1998, submit this Prehearing Statement.

**APPEARANCES:**

JOHN ROGER HOWE, Esquire  
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**

None necessary.

DOCUMENT NUMBER-DATE  
01958 FEB-6 88  
FPSC-RECORDS/REPORTING

## D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

### Generic Environmental Cost Recovery Issues

**ISSUE 1:** What are the appropriate final environmental cost recovery true-up amounts for the period ending September, 1997?

**OPC:** No position at this time.

**ISSUE 2:** What are the estimated environmental cost recovery true-up amounts for the period October, 1997, through March, 1998?

**OPC:** No position at this time.

**ISSUE 3:** What are the total environmental cost recovery true-up amounts to be collected/refunded during the period April, 1998, through September, 1998?

**OPC:** No position at this time.

**ISSUE 4:** What are the appropriate projected environmental cost recovery amounts to be included in the recovery factors for the period April, 1998, through September, 1998?

**OPC:** No position at this time.

**ISSUE 5:** What should be the effective date of the new environmental cost recovery factors for billing purposes?

**OPC:** The factor should be effective beginning with the specified billing cycle and thereafter for the period April 1998 through September 1998. Billing cycles may start before April 1, 1998 and the last cycle may be read after September 30, 1998 so that each customer is billed for six months regardless of when the adjustment factor became effective.

**ISSUE 6:** What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery true-up amounts to be collected during the period April, 1998, through September, 1998?

**OPC:** No position at this time.

**ISSUE 7:** How should the newly proposed environmental costs be allocated to the rate classes?

**OPC:** No position at this time.

**ISSUE 8:** What are the appropriate Environmental Cost Recovery Factors for the period April, 1998, through September, 1998, for each rate group?

**OPC:** No position at this time.

#### **Company - Specific Environmental Cost Recovery Issues**

**ISSUE 9:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the Gannon Ignition Oil Tank Upgrade through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 10:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the Big Bend Fuel Oil Tank Number 1 Upgrade through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 11:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the Big Bend Fuel Oil Tank Number 2 Upgrade through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 12:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the Phillips Tank Number 1 Upgrade through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 13:** Should the Commission approve Tampa Electric Company's request for recovery of costs of the Phillips Tank Number 4 Upgrade through the Environmental Cost Recovery Clause?

**OPC:** No position at this time.

**ISSUE 14:** What adjustment for SO<sub>2</sub> Allowances, if any, should be made to Tampa Electric Company's Environmental Cost Recovery Factor as a result of the Commission's decision in Docket No. 970171-EU?

**OPC:** No position at this time.

**ISSUE 15:** What is the appropriate methodology for determining the credit to the Environmental Cost Recovery Clause for the incremental SO<sub>2</sub> Allowance costs incurred as a result of the Lakeland and FMPA wholesale sales?

**OPC:** No position at this time.

#### **Other Issues**

**ISSUE 16:** Should the Commission approve a change in the frequency of the environmental cost recovery clause hearings from semi-annual hearings to annual hearings? If the change is approved, what 12 month period (fiscal or calendar) should be used and how should the change be implemented?

**OPC:** No position at this time.

E. **STATEMENT OF LEGAL ISSUES AND POSITIONS:** None at this time.

F. **STATEMENT OF POLICY ISSUES AND POSITIONS:** None at this time.

G. STIPULATED ISSUES: None.

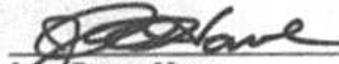
H. PENDING MOTIONS: None.

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.

Respectfully submitted,

JACK SHREVE  
Public Counsel

  
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John Roger Howe  
Deputy Public Counsel

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Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**  
**980007-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Public Counsel's Prehearing Statement has been furnished by U.S. Mail or hand-delivery (\*) on this 6th day of February, 1998, to the following:

Leslie J. Paugh, Esquire\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Room 370, Gunter Building  
Tallahassee, Florida 32399-0872

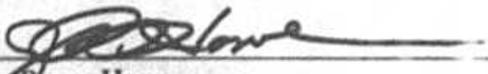
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\_\_\_\_\_  
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