

ORIGINAL

McWHIRTER REEVES
ATTORNEYS AT LAW

TAMPA OFFICE:
400 NORTH TAMPA STREET, SUITE 2450
TAMPA, FLORIDA 33602
P. O. BOX 3350 TAMPA, FL 33601-3350
(813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICE:
117 SOUTH GADSDEN
TALLAHASSEE, FLORIDA 32301
(850) 222-2525
(850) 222-5606 FAX

October 25, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

Re: Docket No.: 020007-EI

Dear Ms. Bayo:

On behalf of the Florida Industrial Power Users Group (FIPUG), enclosed for filing and distribution are the original and 15 copies of the following:

- The Florida Industrial Power Users Group's Prehearing Statement.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman
Vicki Gordon Kaufman

AUS _____ VGK/bae
CAF _____ Enclosure
CMP _____
COM 5
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC +
OTH _____

RECEIVED & FILED
RJM
FPSC-BUREAU OF RECORDS

RECEIVED
OCT 25 PM 4:24
COMMISSION
CLERK

DOCUMENT NUMBER - DATE
11736 OCT 25 2002
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost
recovery clause.

Docket No.020007-EI
Filed: October 25, 2002

**THE FLORIDA INDUSTRIAL POWER USERS
GROUP'S PREHEARING STATEMENT**

The Florida Industrial Power Users Group (FIPUG), pursuant to Order No. PSC-02-0335-PCO-EG, hereby files its Prehearing Statement.

A. APPEARANCES:

JOHN W. MCWHIRTER, JR., McWhirter Reeves McGlothlin Davidson Decker Kaufman & Arnold, P.A., 400 North Tampa Street, Suite 2450, Tampa, Florida 33601-3350 and **VICKI GORDON KAUFMAN and TIMOTHY J. PERRY**, McWhirter Reeves McGlothlin Davidson Decker Kaufman & Arnold, P.A., 117 South Gadsden Street, Tallahassee, Florida 32301

On Behalf of the Florida Industrial Power Users Group.

B. WITNESSES:

None.

C. EXHIBITS:

None. However, FIPUG reserves the right to utilize appropriate exhibits in cross-examination.

D. STATEMENT OF BASIC POSITION:

None.

E. STATEMENT OF 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 December 31, 2001?

- FIPUG:** FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.
- ISSUE 2:** What are the estimated environmental cost recovery true-up amounts for the period January 2002 through December 2002?
- FIPUG:** FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.
- ISSUE 3:** What are the total environmental cost recovery true-up amounts to be collected or refunded during the period January 2003 through December 2003?
- FIPUG:** FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.
- ISSUE 4:** What are the appropriate projected environmental cost recovery amounts for the period January 2003 through December 2003?
- FIPUG:** FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.
- ISSUE 5:** What depreciation rates should be used to develop the depreciation expense included in the total environmental cost recovery amounts for the period January 2003 through December 2003?
- FIPUG:** FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.
- ISSUE 6:** What are the appropriate jurisdictional separation factors for the projected period January 2003 through December 2003?
- FIPUG:** FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.
- ISSUE 7:** What are the appropriate environmental cost recovery factors for the period January 2003 through December 2003 for each rate group?
- FIPUG:** FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.
- ISSUE 8:** What should be the effective date of the environmental cost recovery factors for billing purposes?
- FIPUG:** Agree with Staff.

COMPANY SPECIFIC ENVIRONMENTAL COST RECOVERY ISSUES

Florida Power & Light Company

ISSUE 9A: What effect does Florida Power & Light Company's stipulation, approved by Order No. PSC-99-0519-AS-EI, have on the company's level of recovery for 2003?

FIPUG: Agree with Staff.

ISSUE 9B: How should the newly proposed environmental costs for the St. Lucie Turtle Net project be allocated to the rate classes?

FIPUG: Agree with Staff.

ISSUE 9C: Should the Commission approve Florida Power & Light Company's request for recovery of costs for the Pipeline Integrity Management Project through the Environmental Cost Recovery Clause?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 9D: How should the newly proposed environmental costs for the Pipeline Integrity Management Project be allocated to the rate classes?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 9E: Should the Commission approve Florida Power & Light Company's request for recovery of costs for Oil Spill Prevention, Control & Countermeasures through the Environmental Cost Recovery Clause?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 9F: How should the newly proposed environmental costs for the Oil Spill Prevention, Control & Countermeasures activities be allocated to the rate classes?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 9G: Should the Commission approve FPL's request to recovery costs for the Manatee Reburn NOx Control Technology Project through the Environmental Cost Recovery Clause?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 9H: How should the newly proposed environmental costs for the Manatee Reburn NOx Control Technology Project be allocated to the rate classes?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

Gulf Power Company

ISSUE 10A: How should the newly proposed environmental costs for implementing the Ozone Agreement between Gulf and the Department of Environmental Protection be allocated to the rate classes?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

Tampa Electric Company

ISSUE 11A: How should the newly proposed environmental costs for the Polk NOx Emissions Reduction project be allocated to the rate classes?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

Florida Power Corporation

ISSUE 12A: Should the Commission approve Florida Power Corporation's request for recovery of costs for Substation Environmental Investigation, Remediation, and Pollution Prevention?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 12B: How should the newly proposed environmental costs for the Substation Environmental Investigation, Remediation, and Pollution Prevention be allocated to the rate classes?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 12C: Should the Commission approve Florida Power Corporation's request for recovery of costs for Distribution System Environmental Investigation, Remediation, and

Pollution Prevention?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

ISSUE 12D: How should the newly proposed environmental costs for the Distribution System Environmental Investigation, Remediation, and Pollution Prevention be allocated to the rate classes?

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

F. STIPULATED ISSUES:

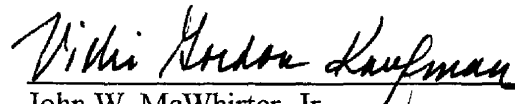
None at this time.

G. PENDING MOTIONS:

FIPUG has no pending motions.

H. OTHER MATTERS:

None.


John W. McWhirter, Jr.
McWhirter Reeves McGlothlin Davidson
Decker Kaufman & Arnold, P.A.
400 North Tampa Street, Suite 2450
Tampa, Florida 33601-3350

Vicki Gordon Kaufman
Timothy J. Perry
McWhirter Reeves McGlothlin Davidson
Decker Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301

Attorneys for the Florida Industrial
Power Users Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Florid Industrial Power Users Group's Prehearing Statement has been furnished by (*) hand delivery, or U.S. Mail this 25th day of October 2002, to the following parties of record:

(*) Marlene Stern
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Rob Vandiver
Office of the Public Counsel
111 West Madison Street
Room 812
Tallahassee, Florida 32399

Charles Guyton
Steel Hector & Davis LLP
215 South Monroe Street
Suite 601
Tallahassee, Florida 32301

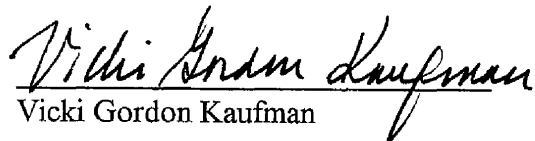
Lee L. Willis
James D. Beasley
Ausley & McMullen
227 S. Calhoun Street
Tallahassee, Florida 32302

Jeffrey A. Stone
Beggs & Lane
Post Office Box 12950
Pensacola, Florida 32591

James A. McGee
100 Central Avenue, Suite CX1D
St. Petersburg, Florida 33701

Norman H. Horton
Messer, Caparello & Self
215 South Monroe Street
Suite 701
Tallahassee, Florida 32302

John T. English
Florida Public Utilities Company
Post Office Box 3395
West Palm Beach, Florida 33402


Vicki Gordon Kaufman