

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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COMMISSION
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In re: Petition to determine need for Florida EnergySecure Pipeline by Florida Power & Light Company. | DOCKET NO. 090172-EI
ORDER NO.
ISSUED:

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-09-0337-PCO-EI filed May 15, 2009, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

None at this time.

b. All Known Exhibits

None at this time

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

ISSUE 1: Is FPL's forecast of future natural gas pipeline transmission capacity requirements reasonable for planning purposes?

POSITION: No position at this time.

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ISSUE 2: Do existing transmission pipelines in Florida have sufficient excess capacity to fulfill the forecasted need for transmission capacity?

POSITION: No position at this time.

ISSUE 3: Is the proposed Florida EnergySecure Line needed to improve or maintain natural gas delivery reliability and integrity within Florida?

POSITION: No position at this time.

ISSUE 4: Does the planned construction and operation of the proposed EnergySecure Line meet industry and government standards for safety?

POSITION: No position at this time.

ISSUE 5: Will the proposed Florida EnergySecure Line improve the economics of natural gas transmission within Florida to assure the economic well-being of the public?

POSITION: No position at this time.

ISSUE 6: Are the commencement and terminus of FPL's proposed facilities and laterals appropriate to serve the need identified in Issue 1?

POSITION: No position at this time.

ISSUE 7: Are FPL's construction cost estimates reasonable for planning purposes?

POSITION: No position at this time.

ISSUE 8: Are FPL's economic assumptions reasonable for planning purposes?

POSITION: No position at this time.

ISSUE 9: Are the fuel supply and transport costs used by FPL reasonable for planning purposes?

POSITION: No position at this time.

ISSUE 10: Will the proposed Florida EnergySecure Line, including its connection with the upstream pipeline, provide the most cost-effective and reliable source of natural gas supply, transport, and delivery?

POSITION: No position at this time.

ISSUE 11: Should the costs associated with the proposed Florida EnergySecure Line be included in FPL's rate base?

POSITION: No position at this time.

ISSUE 12: Should FPL be required to file a post-construction report that details the final cost of the EnergySecure Line within 90 days of completion?

POSITION: Yes.

ISSUE 13: Should a separate entity be established to own and operate the pipeline?

POSITION: No position at this time.

ISSUE 14: If FPL owns and operates the Florida EnergySecure Line as proposed, will it be subject to the Commission's jurisdiction as an intrastate pipeline company pursuant to Chapter 368, Florida Statutes?

POSITION: Yes.

ISSUE 15: If FPL owns and operates the Florida EnergySecure Line as proposed, will it "... provide transmission access, subject to available capacity, on a basis that is not unreasonably preferential, prejudicial, or unduly discriminatory. . .", as section 368.105(6) requires?

POSITION: No position at this time.

ISSUE 16: Based on the resolution of the previous issues, should FPL's petition for determination of need for the EnergySecure Line, a natural gas transmission pipeline as defined in Section 403.9403(16), Florida Statutes be approved?

POSITION: No position at this time.

e. Stipulated Issues

None at this time.

f. Pending Motions

None at this time.

g. Pending Confidentiality Claims or Requests

None at this time.

h. Objections to Witness Qualifications as an Expert

None at this time.

i. Compliance with Order No. PSC-09-0337-PCO-EI

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

Respectfully submitted this 30th day of June, 2009.

Martha C. Brown

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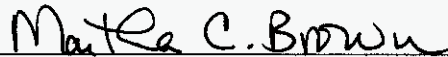
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's Prehearing Statement was
furnished to the following, by U.S. Mail, on this 30th day of June, 2009

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