

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Natural Gas Conservation Cost Recovery
Clause

DOCKET NO. 20190004-GU

FILED: October 8, 2019

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-2019-0083-PCO-GU, issued February 26, 2019, and Amendatory Order No. PSC-2019-0083A-PCO-GU issued March 4, 2019, submit this Prehearing Statement.

APPEARANCE:

CHARLES J. REHWINKEL, Esquire
Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
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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 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.

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 January 2018 through December 2018?

OPC: No position at this time.

ISSUE 2: What are the appropriate conservation adjustment actual/estimated true-up amounts for the period January 2019 through December 2019?

OPC: No position at this time.

ISSUE 3: What are the appropriate total conservation adjustment true-up amounts to be collected/refunded from January 2020 through December 2020?

OPC: No position at this time.

ISSUE 4: What is the total conservation cost recovery amounts to be collected during the period January 2020 through December 2020?

OPC: No position at this time.

ISSUE 5: What are the conservation cost recovery factors for the period January 2020 through December 2020?

OPC: No position at this time.

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.

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

OPC: The tax savings credit should be applied to FCG customer bills consistent with the agreement filed in Docket No. 20180154-GU.

ISSUE 8: Should this docket be closed?

OPC:

E. **STIPULATED ISSUES:**

None.

F. **PENDING MOTIONS:**

None.

G. **REQUESTS FOR CONFIDENTIALITY**

Citizens have no pending requests for claims for confidentiality.

H. OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT

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

I. REQUIREMENTS OF ORDER

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

Dated this 8th day of October, 2019.

Respectfully submitted,

/s/Charles J. Rehwinkel
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CERTIFICATE OF SERVICE
20190004-GU

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 8th day of October, 2019, to the following:

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