

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost
Recovery Clause

DOCKET NO. 20190007-EI
FILED: October 11, 2019

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

The Florida Industrial Power Users Group (FIPUG), pursuant to Order No. PSC-2019-0072-PCO-EI, files its Prehearing Statement.

A. APPEARANCES:

Jon C. Moyle, Jr.
Karen Putnal
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, FL 32312

Attorneys for the Florida Industrial Power Users Group

B. WITNESSES AND EXHIBITS:

All witnesses and exhibits listed by other parties in this proceeding.

C. STATEMENT OF BASIC POSITION:

Only costs legally authorized should be recovered through the environmental cost recovery clause. FIPUG maintains that the respective utilities must satisfy their burden of proof for any and all monies or other relief sought in this proceeding.

D. STATEMENT OF ISSUES AND POSITIONS:

GENERIC ISSUES

ISSUE 1: What are the final environmental cost recovery true-up amounts for the period January 2018 through December 2018?

FIPUG: Adopt the position of OPC.

ISSUE 2: What are the actual/estimated environmental cost recovery true-up amounts for the period January 2019 through December 2019?

FIPUG: Adopt the position of OPC.

ISSUE 3: What are the projected environmental cost recovery amounts for the period January 2020 through December 2020?

FIPUG: Adopt the position of OPC.

ISSUE 4: What are the environmental cost recovery amounts, including true-up amounts, for the period January 2020 through December 2020?

FIPUG: Adopt the position of OPC.

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 2020 through December 2020?

FIPUG: Adopt the position of OPC.

ISSUE 6: What are the appropriate jurisdictional separation factors for the projected period January 2020 through December 2020?

FIPUG: Adopt the position of OPC.

ISSUE 7: What are the appropriate environmental cost recovery factors for the period January 2020 through December 2020 for each rate group?

FIPUG: Adopt the position of OPC.

ISSUE 8: What should be the effective date of the new environmental cost recovery factors for billing purposes?

FIPUG: Adopt the position of OPC.

ISSUE 9: Should the Commission approve revised tariffs reflecting the environmental cost recovery amounts and environmental cost recovery factors determined to be appropriate in this proceeding?

FIPUG: Adopt the position of OPC.

ISSUE 10: Should this docket be closed?

FIPUG: Yes.

COMPANY-SPECIFIC ENVIRONMENTAL COST RECOVERY ISSUES

Duke Energy Florida, LLC:

ISSUE 11: Should the Commission approve DEF's Crystal River Coal Combustion Residual Ash Landfill Project for cost recovery through the Environmental Cost Recovery Clause?

FIPUG: Adopt the position of OPC.

ISSUE 12: How should any approved Environmental Cost Recovery Clause costs associated with DEF's Crystal River CCR Ash Landfill Project be allocated to the rate classes?

FIPUG: Adopt the position of OPC.

ISSUE 13: Should the Commission approve DEF's proposed treatment for the ECRC assets associated with the retirement of Avon Park and Higgins, as proposed in DEF's 2020 Projection Filing?

FIPUG: Adopt the position of OPC.

Gulf Power Company:

ISSUE 14: Should the Commission approve the 2020 expenditures for Gulf's ownership portion of the Plant Daniel CCR projects for recovery through the Environmental Cost Recovery Clause?

FIPUG: Adopt the position of OPC.

ISSUE 15: Should the Commission approve Gulf's Crist Closed Ash Landfill Project for cost recovery through the Environmental Cost Recovery Clause?

FIPUG: Adopt the position of OPC.

ISSUE 16: How should any approved Environmental Cost Recovery Clause costs associated with Gulf's Crist Closed Ash Landfill Project be allocated to the rate classes?

FIPUG: Adopt the position of OPC.

OTHER

ISSUE 17: Should the Joint Motion to Modify Order No. PSC-2012-0425-PAA-EU Regarding Weighted Average Cost of Capital Methodology be approved?

FIPUG: Adopt the position of OPC.

E. STIPULATED ISSUES:

None at this time.

F. PENDING MOTIONS:

None at this time.

G. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY:

None.

H. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

Yes, unless the witness in question affirmatively states the subject matter area(s) in which he or she claims expertise.

I. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Florida Industrial Power Users Group cannot comply at this time.

s/ Jon C. Moyle, Jr.

Jon C. Moyle, Jr.

Moyle Law Firm, P.A.

118 North Gadsden Street

Tallahassee, FL 32301

(850) 681-3828 (Voice)

(850) 681-8788 (Facsimile)

jmoyle@moylelaw.com

Attorneys for Florida Industrial Power Users Group

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing was furnished to the following by Electronic Mail, on this 11th day of October, 2019:

Charles Murphy
Stephanie Cuello
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
cmurphy@psc.state.fl.us
scuello@psc.state.fl.us

Jessica A. Cano
John Butler
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
jessica.cano@fpl.com
john.butler@fpl.com

Jeffrey A. Stone
Russell Badders
Steve Griffin
Beggs & Lane Law Firm
P.O. Box 12950
Pensacola, FL 32591
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

James Beasley
Jeffrey Wahlen
Ashley Daniels
Ausley Law Firm
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com
jwahlen@ausley.com
adaniels@ausley.com

Kenneth Hoffman
Florida Public Service Commission
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1858
Ken.Hoffman@fpl.com

Stephanie A. Morse
Charles Rehwinkel
Patty Christensen
Office of Public Counsel
The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
Christensen.patty@leg.state.fl.us
Rehwinkel.charles@leg.state.fl.us
Morse.stephanie@leg.state.fl.us

James W. Brew
Laura A. Wynn
1025 Thomas Jefferson St, NW
8th Floor
Washington, DC 20007
jbrew@smxblaw.com
laura.wynn@smxblaw.com

George Cavros
Southern Alliance for Clean Energy
120 E. Oakland Park Blvd.
Suite 105
Fort Lauderdale, FL 33334
George@cavros-law.com

Dianne Triplett
Matthew R. Bernier
Duke Energy Florida, Inc.
299 1st Avenue North, FL 151
St. Petersburg, FL 33701
dianne.triplett@duke-energy.com
matthew.bernier@duke-energy.com

Paula K. Brown Manager,
Regulatory Coordination
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601
regdept@tecoenergy.com

/s/ Jon C. Moyle

Jon C. Moyle