

ORIGINAL



JACK SHREVE
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STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
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October 24, 2001

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

RECEIVED - FPSC
01 OCT 24 PM 3:45
COMMISSION
CLERK

RE: Docket No. 010002-EG

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 Public Counsel's Prehearing Statement 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,

Robert D. Vandiver
Associate Public Counsel

RDV/dsb

Enclosures

- APP _____
- CAF _____
- CMP _____
- COM 5 _____
- CTR _____
- ECR _____
- LEG 1 _____
- OPC _____
- PAI _____
- REG _____
- SEC 1 _____
- STR _____
- OTH _____

RLM
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE
13493 OCT 24 01
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost)
Recovery Plan.)
_____)

DOCKET NO. 010002-EG

FILED: October 24, 2001

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-01-0660-PCO-EG, issued March 16, 2001, submit this Prehearing Statement.

APPEARANCES:

ROBERT D. VANDIVER, Esquire
Associate 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 at this time.

D. STATEMENT OF FACTUAL ISSUES AND POSITIONS

DOCUMENT NUMBER-DATE

13493 OCT 24 01

FPSC-COMMISSION OF PUBLIC SERVICE

Generic Conservation Cost Recovery Clause Issues

ISSUE 1: What is the final end-of-the-period true-up amount for the period January 2000 through December 2000?

OPC: No position at this time.

ISSUE 2: What is the appropriate conservation cost recovery factor for the period January 2002 through December 2002?

OPC: No position at this time.

ISSUE 3: What should be the effective date of the environmental cost recovery factors for billing purposes?

OPC: No position at this time.

Company-Specific Conservation Cost Recovery Issues

Gulf Power Company

ISSUE 4: Should Gulf Power Company (GPC) be allowed to recover expenses associated with providing a free 40-gallon electric water heater for residential customers switching from gas to electric through the ECCR?

OPC: No.

Tampa Electric Company

ISSUE 5: Do Tampa Electric Company's billboard advertising expenses in the amount of \$164,154, filed in the ECCR for the twelve months ending December 31, 2000, conflict with rule 25-17.015(5), F.A.C.?

OPC: Yes.

Florida Power & Light Company

ISSUE 6: Are the Okeelanta/Osceola litigation costs in the amount of \$4,259,178 that Florida Power and Light is seeking to recover in the ECCR for the twelve months ending December 31, 2000, appropriate?

OPC: No position at this time.

Florida Power Corporation

ISSUE 7: Should Florida Power Corporation (FPC) be allowed to recover \$14,047 associated with the Power Quality Brochure and the Southern Women's show that were charged to the Home Equity Check program?

OPC: No.

Florida Public Utility Company

ISSUE 8: Should Florida Public Utility Company (FPUC) be allowed to recover \$21,436 for promotional merchandise associated with the good cents program?

OPC: No.

ISSUE 9: Are the defaulted loan expenses in the amount of \$19,301.51 that FPUC charged to its good cents program appropriate?

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.

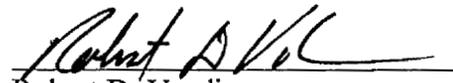
H. PENDING MOTIONS: None.

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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Attorneys for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 010002-EG**

I HEREBY CERTIFY that a true and correct copy of the PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL has been furnished by *hand-delivery or by U.S. Mail to the following parties on this 24th day of October, 2001:

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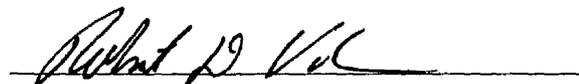
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A handwritten signature in black ink, appearing to read "Robert D. Vandiver", is written over a horizontal line.

Robert D. Vandiver
Associate Public Counsel