

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition to determine need for West County Energy Center Unit 3 electrical power plant, by Florida Power & Light Company.

DOCKET NO. 080203-EI

COMMISSION
CLERK

In re: Petition for determination of need for conversion of Riviera Plant in Palm Beach County, by Florida Power & Light Company.

DOCKET NO. 080245-EI

In re: Petition for determination of need for conversion of Cape Canaveral Plant in Brevard County, by Florida Power & Light Company.

DOCKET NO. 080246-EI

ORDER NO.

ISSUED:

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-08-0257-PCO-EI, filed April 25, 2008, and Order No. PSC-08-0330-PCO-EI filed May 22, 2008, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

Staff is not sponsoring any witnesses.

b. All Known Exhibits

Staff has no direct exhibits.

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.

COMP

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d. Staff's Position on the Issues

DIR

ECR

West County Energy Center Unit 3

GC

ISSUE 1: Has Florida Power & Light Company met the requirements of Rule 25-22.082, Florida Administrative Code, "Selection of Generating Capacity"?

OPC

PCA

POSITION: Staff has no position at this time.

SCR

SGA

SEC

OTD

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

ISSUE 2: Is there a need for the proposed West County Energy Center Unit 3, taking into account the need for electric system reliability and integrity, as this criterion is used in section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 3: Is there a need for the proposed West County Energy Center Unit 3, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 4: Is there a need for the proposed West County Energy Center Unit 3, taking into account the need for fuel diversity and supply reliability, as this criterion is used in Section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 5: Are there any conservation measures taken by or reasonably available to Florida Power & Light Company which might mitigate the need for the proposed West County Energy Center Unit 3?

POSITION: Staff has no position at this time.

ISSUE 6: Is the proposed West County Energy Center Unit 3 the most cost-effective alternative available, as this criterion is used in section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 7: Based on the resolution of the foregoing issues, should the Commission grant FPL's petition to determine the need for the proposed West County Energy Center Unit 3?

POSITION: Staff has no position at this time.

ISSUE 8: If an affirmative determination of need is granted, should Florida Power & Light Company be required to annually report the budgeted and actual cost compared to the estimated total in-service cost of the proposed West County Energy Center Unit 3?

POSITION: Staff has no position at this time.

Riviera and Cape Canaveral Plants

ISSUE 9: Has Florida Power & Light Company met the requirements of Rule 25-22.082, Florida Administrative Code, "Selection of Generating Capacity"?

POSITION: Staff has no position at this time.

ISSUE 10: Is there a need for the conversion of the Riviera and Cape Canaveral Plants, taking into account the need for electric system reliability and integrity, as this criterion is used in section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 11: Is there a need for the conversion of the Riviera and Cape Canaveral Plants, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 12: Is there a need for the conversion of the Riviera and Cape Canaveral Plants, taking into account the need for fuel diversity and supply reliability, as this criterion is used in Section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 13: Are there any conservation measures taken by or reasonably available to Florida Power & Light Company which might mitigate the need for the conversion of the Riviera and Cape Canaveral Plants?

POSITION: Staff has no position at this time.

ISSUE 14: Is the conversion of the Riviera and Cape Canaveral Plants the most cost-effective alternative available, as this criterion is used in section 403.519, Florida Statutes?

POSITION: Staff has no position at this time.

ISSUE 15: Based on the resolution of the foregoing issues, should the Commission grant FPL's petition to determine the need for the conversion of the Riviera and Cape Canaveral Plants?

POSITION: Staff has no position at this time.

ISSUE 16: Should this docket be closed?

POSITION: Staff has no position at this time.

e. Stipulated Issues

Staff is aware of no stipulated issues at this time.

f. Pending Motions

Staff has no pending motions at this time.

g. Pending Confidentiality Claims or Requests

Staff has no pending confidentiality claims or requests at this time.

h. Objections to Witness Qualifications as an Expert

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

i. Compliance with Order Nos. PSC-08-0257-PCO-EI and PSC-08-0330-PCO-EI

Staff has complied with all requirements of the Orders Establishing Procedure entered in these dockets.

Respectfully submitted this 30th day of May, 2008.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of STAFF'S PREHEARING STATEMENT has been served by electronic and U. S. mail to Bryan S. Anderson, Florida Power & Light Company, 700 Universe Blvd., Juno Beach, FL 33408-0420, and that a true copy thereof has been furnished to the following by electronic and U. S. mail this 30th day of May, 2008:

R. Wade Litchfield & Jeffrey S. Bartel
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859



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