

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric conservation goals (Florida Power & Light Company).	DOCKET NO. 080407-EG
In re: Commission review of numeric conservation goals (Progress Energy Florida, Inc.).	DOCKET NO. 080408-EG
In re: Commission review of numeric conservation goals (Tampa Electric Company).	DOCKET NO. 080409-EG
In re: Commission review of numeric conservation goals (Gulf Power Company).	DOCKET NO. 080410-EG
In re: Commission review of numeric conservation goals (Florida Public Utilities Company).	DOCKET NO. 080411-EG
In re: Commission review of numeric conservation goals (Orlando Utilities Commission).	DOCKET NO. 080412-EG
In re: Commission review of numeric conservation goals (JEA).	DOCKET NO. 080413-EG
	DATED: JULY 27, 2009

STAFF'S PREHEARING STATEMENT

Pursuant to Order Nos. PSC-08-0816-PCO-EG, issued December 18, 2009, PSC-09-0152-PCO-EG, issued March 12, 2009, and PSC-06-0467-PCO-EG, issued June 30, 2009, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

Staff intends to offer the Direct Testimony of Richard F. Spellman and Caroline Guidry.

b. All Known Exhibits

Staff intends to offer the following exhibits associated with the Direct Testimony of Richard Spellman and Caroline Guidry:

DOCUMENT NUMBER DATE

07660 JUL 27 8

FPSC-COMMISSION CLERK

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<b>Exhibit</b>	<b>Title</b>
RFS-1	Resume of Richard F. Spellman
RFS-2	Resume of Caroline Guidry
RFS-3	Rankings of US Electric Utilities by Absolute kW Savings
RFS-4	Rankings of US Electric Utilities by kW Savings as Percent of Summer Demand
RFS-5	Rankings of US Electric Utilities by kWh Savings as Percent of Sales
RFS-6	Rankings of Florida Electric Utilities by kWh Savings as Percent of Sales
RFS-7	GDS Assessment of the Technical Potential Reports
RFS-8	Free Ridership Estimates – GDS Study
RFS-9	Potential Study Results Comparison
RFS-10	NAPEE - Use of Cost-Effectiveness Tests by State
RFS-11	Summary of Benefits and Costs Included in Each Cost-Effectiveness Test
RFS-12	GDS Survey - Summary of the Primary Benefit-Cost Tests Used in Each State
RFS-13	Environmental Externalities Considered in Cost-Effectiveness Calculations of Various States
RFS-14	LBNL Study – Base Case and Utility Build Moratorium Annual Average Retail Rates
RFS-15	Top 20 Electric Utilities Based on Annual kWh Savings as Reported in EIA Form 861 Database
RFS-16	Savings Targets Set by the Organizations Surveyed by GDS
RFS-17	Top 20 Electric Utilities Based on Annual kWh Savings as Reported in EIA Form 861 Database
RFS-18	Southeastern Electric Utilities Energy Efficiency kWh Savings

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<b>Exhibit</b>	<b>Title</b>
RFS-19	Southeastern Electric Utilities Energy Efficiency kW Savings
RFS-20	Revised kWh Goals for the Seven FEECA Utilities
RFS-21	Comparison of GDS Recommended and Utility Proposed Goals
RFS-22	Proposed Expenditures on Renewable R&D Programs
RFS-23	ECCR Factors with Additional Amount Dedicated to Demand-Side Renewable Programs

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:** Did the Company provide an adequate assessment of the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems, pursuant to Section 366.82(3), F.S.?

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 2:** Did the Company provide an adequate assessment of the achievable potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems?

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 3:** Do the Company's proposed goals adequately reflect the costs and benefits to customers participating in the measure, pursuant to Section 366.82(3)(a), F.S.?

**POSITION:** No position pending evidence adduced at the hearing.

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**ISSUE 4:** Do the Company's proposed goals adequately reflect the costs and benefits to the general body of ratepayers as a whole, including utility incentives and participant contributions, pursuant to Section 366.82(3)(b), F.S.?

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 5:** Do the Company's proposed goals adequately reflect the costs imposed by state and federal regulations on the emission of greenhouse gases, pursuant to Section 366.82(3)(d), F.S.?

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 6:** Should the Commission establish incentives to promote both customer-owned and utility-owned energy efficiency and demand-side renewable energy systems?

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 7:** What cost-effectiveness test or tests should the Commission use to set goals, pursuant to Section 366.82, F.S.?

**POSITION:** No position pending evidence adduced at the hearing.

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**ISSUE 8:** What residential summer and winter megawatt (MW) and annual Gigawatt-hour (GWh) goals should be established for the period 2010-2019?

PROPOSED RESIDENTIAL CONSERVATION GOALS										
Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Summer MW										
Winter MW										
Annual GWh										

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 9:** What commercial/industrial summer and winter megawatt (MW) and annual Gigawatt hour (GWh) goals should be established for the period 2010-2019?

PROPOSED COMMERCIAL CONSERVATION GOALS										
Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Summer MW										
Winter MW										
Annual GWh										

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 10:** In addition to the MW and GWh goals established in Issues 8 and 9, should the Commission establish separate goals for demand-side renewable energy systems?

**POSITION:** No position pending evidence adduced at the hearing.

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**ISSUE 11:** In addition to the MW and GWh goals established in Issues 8 and 9, should the Commission establish additional goals for efficiency improvements in generation, transmission, and distribution?

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 12:** In addition to the MW and GWh goals established in Issues 8 and 9, should the Commission establish separate goals for residential and commercial/industrial customer participation in utility energy audit programs for the period 2010-2019?

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 13:** Should this docket be closed?

**POSITION:** No position pending evidence adduced at the hearing.

**Additional Issues**

**ISSUE 14:** What action, if any, should the Commission take in this proceeding to encourage the efficient use of cogeneration? (FIPUG NEW ISSUE)

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 15:** In setting goals, what consideration should the Commission give to the impact on rates? (OUC NEW ISSUE)

**POSITION:** No position pending evidence adduced at the hearing.

**ISSUE 16:** Since the Commission has no rate-setting authority over OUC and JEA, can the Commission establish goals that puts upward pressure on their rates? (OUC NEW ISSUE)

**POSITION:** No position pending evidence adduced at the hearing.

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e. Stipulated Issues

Staff is not aware of any 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-08-0816-PCO-EG, PSC-09-0152-PCO-EG, and PSC-09-0467-PCO-EG

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

Respectfully submitted this 27<sup>th</sup> day of July, 2009.



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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 electronic and U.S. Mail, on this 27<sup>th</sup> day of July, 2009:

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