

Eric Fryson

From: Miller, Samuel T Capt USAF AFLOA JAACL/ULFSC [samuel.miller@tyndall.af.mil]
Sent: Friday, October 05, 2012 2:45 PM
To: Filings@psc.state.fl.us
Cc: Charles Murphy; James D. Beasley; Burnett, John; Triplett, Dianne; Butler, John; wade.litchfield@fpl.com; jas@beggslane.com; Miller, Samuel T Capt USAF AFLOA JAACL/ULFSC; Paula K. Brown; Lewis Jr, Paul; rmiller@pcsphosphate.com; Susan D. Ritenour; vkaufman@moylelaw.com; Jon C. Moyle, Jr.; J.R. Kelly; Charles Rehwinkel; Gary Perko; Fike, Gregory J LtCol USAF AFLOA JAACL/ULT; White, Karen S Civ USAF AFLOA JAACL/ULT

Subject: FEA's Prehearing Statement (120007-EI)

Signed By: There are problems with the signature. Click the signature button for details.

Attachments: FEA Prehearing Statement.pdf

a. Person responsible for this electronic filing:

Capt Samuel Miller

USAF Utility Law Field Support Center

139 Barnes Ave., Suite 1

Tyndall AFB, FL 32403

850-283-6348

Samuel.Miller@tyndall.af.mil

b. Docket 120007-EI

In re: Environmental Cost Recovery Clause

c. Document being filed on behalf of FEA

d. There are 7 pages to FEA's Prehearing Statement

e. The document attached for electronic filing is FEA's Prehearing Statement

SAMUEL MILLER, Capt, USAF
Litigation Attorney, Utility Law Field Support Center
AFLOA/JAACL-ULFSC
139 Barnes Dr
Tyndall AFB, FL 32403-5317

850-283-6663
DSN 523-6663

DOCUMENT NUMBER-DATE

06790 OCT-5 2012

FPSC-COMMISSION CLERK

10/5/2012

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 120007-EI

DATED: October 5, 2012

FEDERAL EXECUTIVE AGENCIES PREHEARING STATEMENT

Pursuant to Order No. PSC-12-0060-PCO-EI, issued February 10, 2012, the Federal Executive Agencies (FEA) hereby files its Prehearing Statement in the above-captioned docket.

a. All Known Witnesses

FEA does not intend to call any witnesses at this time.

b. All Known Exhibits

FEA does not intend to file any exhibits at this time.

c. FEA's Statement of Basic Position

FEA's positions are preliminary and based on materials filed by the parties and on discovery. FEA's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. FEA's Position on the Issues

Issue 1 What are the final environmental cost recovery true-up amounts for the period January 2011 through December 31, 2011?

FEA: No position at this time.

Issue 2 What are the estimated/actual environmental cost recovery true-up amounts for the period January 2012 through December 2012?

FEA: No position at this time.

Issue 3 What are the projected environmental cost recovery amounts for the period January 2013 through December 2013?

FEA: No position at this time.

Issue 4 What are the environmental cost recovery amounts, including true-up amounts, for the period January 2013 through December 2013?

DOCUMENT NUMBER-DATE

06790 OCT-5 2012

FPSC-COMMISSION CLERK

FEA: No position at this time.

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 2013 through December 2013?

FEA: No position at this time.

Issue 6 What are the appropriate jurisdictional separation factors for the projected period January 2013 through December 2013?

FEA: No position at this time.

Issue 7 What are the appropriate environmental cost recovery factors for the period January 2013 through December 2013 for each rate group?

FEA: No position at this time.

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

FEA: No position at this time.

COMPANY-SPECIFIC ISSUES

Florida Power & Light (FPL)

Issue 9A: Should FPL be allowed to recover the costs associated with the Manatee Temporary Heating System (MTHS) Project at Port Everglades Plant (PPE)?

FEA: No position at this time.

Issue 9B: Should FPL be allowed to recover the costs associated with its proposed Thermal Discharge Standards Project?

Position: FEA: No position at this time.

Issue 9C: How should the costs associated with the Thermal Discharge Standards Project be allocated to the rate classes?

Position: FEA: No position at this time.

FEA'S PRELIMINARY LIST OF ISSUES AND POSITIONS
DOCKET NO. 120007-EI
PAGE 3

Issue 9D: Should FPL be allowed to recover the costs associated with its proposed Gopher Tortoise Relocations Project?

Position: FEA: No position at this time.

Issue 9E: How should the costs associated with the Gopher Tortoise Relocations Project be allocated to the rate classes?

Position: FEA: No position at this time.

Issue 9F: Should FPL be allowed to recover the costs associated with its proposed Effluent Guidelines Revised Rule Project?

Position: FEA: No position at this time.

Issue 9G: How should the costs associated with the Effluent Guidelines Revised Rule Project be allocated to the rate classes?

Position: FEA: No position at this time.

Issue 9H: Should FPL be allowed to recover the costs associated with its proposed Numeric Nutrient Criteria Project?

Position: FEA: No position at this time.

Issue 9I: How should the costs associated with the Numeric Nutrient Criteria Project be allocated to the rate classes?

Position: FEA: No position at this time.

Issue 9J: Should FPL be allowed to recover the costs associated with the additional activities of the existing NPDES Permit Renewal Requirements Project?

Position: FEA: No position at this time.

Issue 9K: Should the Commission approve FPL's proposal to expand the existing CAMR Compliance Project as reasonable?

Position: FEA: No position at this time.

Issue 9L: Should the Commission approve FPL's Supplemental Clean Air Interstate Rule (CAIR), Clean Air Mercury Rule (CAMR) and Clean Air Visibility Rule (CAVR)/Best Available Retrofit Technology (BART) Filing as reasonable?

FEA'S PRELIMINARY LIST OF ISSUES AND POSITIONS
DOCKET NO. 120007-EI
PAGE 4

Position: FEA: No position at this time.

Issue 9M: Should the Commission approve FPL's proposed capital cost recovery schedule for the Port Everglades electrostatic precipitators (ESPs)?

Position: FEA: No position at this time.

Progress Energy Florida (PEF)

Issue 10A: Should the Commission approve PEF's Review of Integrated Clean Air Compliance Plan as reasonable?

Position: FEA: No position at this time.

Gulf Power Company (Gulf)

Issue 11A: Should the Commission approve Gulf's Environmental Compliance Program Update as reasonable?

Position: FEA: No position at this time.

e. Stipulated Issues

There are no stipulated issues at this time.

f. Pending Motions

FEA has no pending motions.

g. Pending Confidentiality Claims or Requests

FEA has no pending confidentiality claims or requests.

h. Objections to Witness Qualifications as an Expert

FEA has no objections to any witness's qualifications as an expert.

i. Compliance with Order No. PSC-12-0060-PCO-EI

FEA has complied with all requirements of the Order Establishing Procedure entered in this docket.

FEA'S PRELIMINARY LIST OF ISSUES AND POSITIONS
DOCKET NO. 120007-EI
PAGE 5

RESPECTFULLY SUBMITTED, this 5th day of October, 2012:



SAMUEL T. MILLER, Capt, USAF
STAFF ATTORNEY
USAF Utility Law Field Support Center
139 Barnes Ave., Suite 1
Tyndall AFB, FL 32403
(850) 283-6663
Samuel.Miller@Tyndall.AF.Mil

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

DOCKET NO. 120007-EI

DATED: October 5, 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that FEA's PREHEARING STATEMENT has been filed with Office of Commission Clerk and one copy has been furnished to the following by electronic mail, on this 5th day of October, 2012:

Florida Public Utilities Company
Cheryl Martin, Director
Regulatory Affairs
Post Office Box 3395
West Palm Beach, FL 33402-3395

Beggs & Lane
Jeffrey A. Stone/Russell A. Badders
Steven R. Griffin
Post Office Box 12950
Pensacola, FL 32591-2950

Florida Power & Light Company
Kenneth Hoffman, Vice President
Regulatory Relations
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1858

John T. Butler
Managing Attorney
Florida Power & Light Company
700 Universe Boulevard (LAW/JB)
Juno Beach, FL 33408-0420

Progress Energy Service Company, LLC
John T. Burnett/Dianne M. Triplett
Post Office Box 14042
St. Petersburg, FL 33733

Ausley & McMullen
James D. Beasley/J. Jeffrey Wahlen
Post Office Box 391
Tallahassee, FL 32302

Gulf Power Company
Robert L. McGee, Jr.
One Energy Place
Pensacola, FL 32520-0780

Progress Energy Florida, Inc.
Paul Lewis, Jr.
106 East College Avenue, Suite 800
Tallahassee, FL 32301

Tampa Electric Company
Paula K. Brown, Administrator
Regulatory Coordination
Post Office Box 111
Tampa, FL 33601-0111

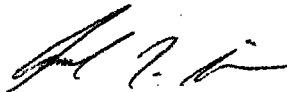
Office of Public Counsel
J.R. Kelly/P. Christensen/C. Rehwinkel
J. McGlothlin/E. Saylor
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Moyle Law Firm, P.A.
Vicki Gordon Kaufman/Jon C. Moyle, Jr.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

Brickfield, Burchette, Ritts & Stone, P.C.
James W. Brew/F. Alvin Taylor
Eighth Floor, West Tower
1025 Thomas Jefferson Street, NW
Washington, DC 20007

Gardner Bist Wiener Wadsworth Bowden Bush Dee
LaVia & Wright, P.A.
Robert Scheffel Wright/John T. LaVia, III
1300 Thomaswood Drive
Tallahassee, FL 32308

White Springs Agricultural Chemicals, Inc.
Randy B. Miller
Post Office Box 300
White Springs, FL 32096



SAMUEL T. MILLER, Capt, USAF
STAFF ATTORNEY
USAF Utility Law Field Support Center
139 Barnes Ave., Suite 1
Tyndall AFB, FL 32403
(850) 283-6663
Samuel.Miller@Tyndall.AF.Mil