

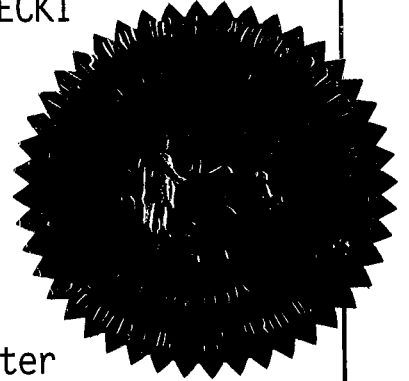
BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 020003-GU

In the Matter of
PURCHASED GAS ADJUSTMENT
(PGA) TRUE-UP

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PROCEEDINGS: PREHEARING CONFERENCE
BEFORE: COMMISSIONER MICHAEL A. PALECKI
Prehearing Officer
DATE: Monday, November 4, 2002
TIME: Commenced at 1:30 p.m.
Concluded at 4:11 p.m.
PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida
REPORTED BY: LINDA BOLES, RPR
Official FPSC Reporter
(850) 413-6734



DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

1 APPEARANCES:

2 WAYNE L. SCHIEFELBEIN, Rose, Sundstrom & Bentley,
3 LLP, 2548 Blainstone Pines Drive, Tallahassee, Florida 32301,
4 appearing on behalf of the Florida Division of Chesapeake
5 Utilities Corporation (CUC).

6 RICHARD D. MELSON and GARY V. PERKO, Hopping Green
7 Sams and Smith, Post Office Box 6526, Tallahassee, Florida
8 32314, appearing on behalf of City Gas Company of Florida (City
9 Gas).

10 NORMAN H. HORTON, JR., Messer, Caparello & Self 215
11 South Monroe Street, Post Office Box 1876, Tallahassee, Florida
12 32302-1876, appearing on behalf of Sebring Gas System, Inc.
13 (Sebring).

14 MATTHEW R. COSTA, Corporate Counsel, TECO Energy,
15 Inc., P. O. Box 111, Tampa, Florida 33601, appearing on behalf
16 of Peoples Gas System (Peoples).

17 ROBERT D. VANDIVER, Associate Public Counsel, Office
18 of Public Counsel, c/o The Florida Legislature, 111 West
19 Madison Street, Room 812, Tallahassee, Florida 32399-1400,
20 appearing on behalf of the Citizens of the State of Florida
21 (OPC).

22 JOHN W. McWHIRTER, McWhirter, Reeves, McGlothlin,
23 Davidson, Decker, Kaufman & Arnold, P.A., 400 North Tampa
24 Street, Suite 2450, Tampa, Florida 33601-3350, appearing on
25 behalf of the Florida Industrial Gas Users Group.

1 KATHERINE N. ECHTERNACHT, FPSC General Counsel's
2 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida
3 32399-0870, appearing on behalf of the Commission Staff

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P R O C E E D I N G S

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2 COMMISSIONER PALECKI: Call the prehearing conference
3 to order at this time.

4 Would staff counsel please read the notice on all
5 dockets.

6 MS. ECHTERNACT: Pursuant to notice issued by the
7 Clerk of the Commission on October 7th, 2002, this time and
8 place have been set for a prehearing conference in Docket
9 Number 020001-EI, 020002-EG, 020003-GU, 020004-GU and Docket
10 Number 020007-EI.

11 COMMISSIONER PALECKI: At this time we'll take
12 appearances for all dockets. And rather than taking
13 appearances several times, we'll go ahead and ask each counsel
14 to please identify the docket numbers for which you are
15 appearing, and we'll start with Mr. Vandiver.

16 MR. VANDIVER: My name is Rob Vandiver. I'm
17 appearing on behalf of the Citizens of the State of Florida.
18 I'm appearing in the 01 docket, the 02 docket, the 03 docket
19 and the 07 docket.

20 MR. HORTON: Norman H. Horton, Jr., Messer, Caparello
21 & Self. I'm appearing in the 01, 02, 03, 04 dockets for
22 Florida Public Utilities, and in the 03 docket for Sebring,
23 Sebring Gas.

24 MR. BEASLEY: I'm James D. Beasley with the Law Firm
25 of Ausley & McMullen. I'm appearing on behalf of Tampa

1 Electric Company in the 01, 02 and 07 dockets.

2 MR. GUYTON: Charles A. Guyton with the law firm of
3 Steel, Hector & David appearing on behalf of Florida Power &
4 Light Company in the 02 docket.

5 MR. BADDERS: Russell Badders, and with me is Jeffrey
6 A. Stone and R. Andrew Kent appearing on behalf of Gulf Power
7 Company in the 01, 02 and 07 dockets.

8 MR. BUTLER: John Butler of Steel, Hector and Davis
9 appearing on behalf of Florida Power & Light Company in dockets
10 01 and 07.

11 MR. MELSON: Richard Melson and Gary Perko of the law
12 firm Hopping, Green & Sams appearing on behalf of City Gas
13 Company of Florida in the 03 and 04 dockets, and also appearing
14 on behalf of Florida Power Corporation in the 07 docket.

15 MR. MCGEE: Jim McGee appearing on behalf of Florida
16 Power Corporation in the 01 and 02 dockets.

17 MR. COSTA: Matt Costa appearing on behalf of Peoples
18 Gas in the 03 and 04 dockets.

19 MR. SCHIEFELBEIN: Wayne Schiefelbein with the firm
20 Rose, Sundstrom & Bentley appearing on behalf of the Florida
21 Division of Chesapeake Utilities Corporation in the 03 and
22 04 dockets.

23 MR. McWHIRTER: John McWhirter of the firm of
24 McWhirter and Reeves appearing on behalf of the Florida
25 Industrial Power Users Group with respect to 01, 02 and 07, and

1 on behalf of the Florida Industrial Gas Users Group with
2 respect to Docket Number 03.

3 MS. STERN: Marlene Stern on behalf of the Commission
4 in the 07 docket.

5 MS. ECHTERNACT: Katherine Echternact on behalf of
6 the Commission on the 03 docket.

7 MS. HOLLEY: Lorena Holley on behalf of the
8 Commission in Dockets 02 and 04.

9 MR. KEATING: Cochran Keating on behalf of the
10 Commission in Docket 01.

11 COMMISSIONER PALECKI: Okay. Before we decide on the
12 order in which we take up the dockets, I have a matter I need
13 to put on the record, and that is that I have excused St. Joe
14 Natural Gas from the prehearing conference in the 03 and
15 04 dockets, and also have excused them from the hearing in
16 those two dockets. And I've excused Indiantown from the
17 prehearing as well as the hearing in the 03 docket.

18 Now I've been advised by staff that it would prefer
19 to take up the dockets in the following order: 03, 04, 02, 07
20 and 01. Do any parties have an objection or a different
21 preference?

22 Hearing none, let's proceed at this time to the
23 0003 docket. Does everyone have a copy of the prehearing order
24 in the 03 docket of the draft prehearing order?

25 All right. At this time are there any preliminary

1 matters in the 03 docket?

2 MS. ECHTERNACT: No, Commissioner. I don't believe
3 there are any preliminary matters related to the prehearing
4 order at this time.

5 COMMISSIONER PALECKI: Would it be, would it be
6 appropriate to excuse the parties as well as their witnesses
7 from attending the hearing, providing that no other
8 Commissioners have questions on this docket?

9 MS. ECHTERNACT: Yes. As we have stated in Section
10 VI of the draft prehearing order at the bottom of Page 5, we
11 have requested that witnesses be excused if no other
12 Commissioners have questions for these witnesses.

13 COMMISSIONER PALECKI: All right. At this time in
14 the 03 docket we'll go ahead and go through the prehearing
15 order. Instead of going through page by page, I'd like to go
16 through one section at a time or actually several sections.
17 Let's go through I through V. Are there any changes,
18 corrections or modifications to those five sections?

19 Let's move on, hearing no changes to those.
20 Section VI, the order of witnesses and issues to be addressed.
21 Any corrections to VI?

22 Sections VII and VIII on positions of the parties,
23 are there any corrections to any of the issues?

24 Well, staff, you've done an excellent job on this
25 draft prehearing order.

1 We'll move on. Exhibits, Section VIV.

2 Hearing no changes or corrections, we move on to
3 Section X, proposed stipulations. It's my understanding all of
4 the issues are proposed as stipulated.

5 MS. ECHTERNACT: Yes. That's correct between staff
6 and the companies. I'd like to point out that OPC has taken no
7 position at this time on all of the issues.

8 COMMISSIONER PALECKI: All right.

9 MR. MELSON: Mr. Chairman?

10 COMMISSIONER PALECKI: Yes, Mr. Melson.

11 MR. MELSON: On Issue 5 I notice that there are a
12 couple of different wordings for the language on effective
13 date, and I guess I wasn't sure which one was, was the proposed
14 stipulation.

15 City Gas has some different language from staff, but
16 is willing to take the staff's language, if that is intended to
17 be the proposed stipulation.

18 COMMISSIONER PALECKI: Staff, was it your impression
19 that it was the staff's language or had you even discussed that
20 with Peoples?

21 MS. ECHTERNACT: It was our intent that it was the
22 staff's language, although the wording may have been slightly
23 different by the parties.

24 COMMISSIONER PALECKI: Well, does Peoples Gas have
25 any objection to going with the language as stated in staff's

1 position?

2 MR. COSTA: No, sir.

3 COMMISSIONER PALECKI: I'm trying to figure out what
4 the difference -- I guess there is a difference in language
5 that could be interpreted. But hearing that Peoples Gas has no
6 objection, the stipulation will be as set forth on Page 15 of
7 the prehearing order under the staff's position.

8 Are there any pending confidentiality matters?

9 MS. ECHTERNACT: No, there are not.

10 COMMISSIONER PALECKI: And with regard to rulings,
11 I've already excused St. Joe and Indiantown from the prehearing
12 and hearing in this docket.

13 Is there anything else, any other matters that need
14 to be discussed?

15 Hearing none, we will adjourn the prehearing
16 conference in Docket Number 020003.

17 (Thereupon, the portion of the Prehearing Conference
18 pertaining to Docket Number 020003 was concluded.)

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STATE OF FLORIDA)
:
COUNTY OF LEON)

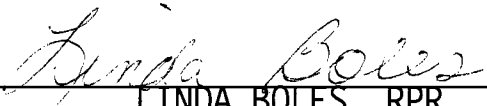
CERTIFICATE OF REPORTER

I, LINDA BOLES, RPR, Official Commission Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 12TH DAY OF NOVEMBER, 2002.



LINDA BOLES, RPR
FPSC Official Commissioner Reporter
(850) 413-6734