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BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of

PURCHASED GAS ADJUSTMENT (PGA)
TRUE-UP

Docket No. 030003-GU

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PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER BRAULIO L. BAEZ
Prehearing Officer

DATE: Thursday, October 23, 2003

TIME: Commenced at 9:40 a.m.
Concluded at 12:42 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



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1 APPEARANCES:

2 ROB VANDIVER, ESQUIRE, Office of Public Counsel,
3 c/o The Florida Legislature, 111 W. Madison St., #812,
4 Tallahassee, Florida 32399-1400, appearing on behalf of the
5 Office of Public Counsel.

6 GARY PERKO, ESQUIRE, Hopping, Green & Sams, P.O. Box
7 6526, Tallahassee, Florida 32314, appearing on behalf of City
8 Gas Company of Florida.

9 MATTHEW COSTA, ESQUIRE, Peoples Gas System, P.O. Box
10 111, Tampa, Florida 33601-0111, appearing on behalf of Peoples
11 Gas System

12 NORMAN H. HORTON, JR., ESQUIRE, Messer, Caparello &
13 Self, 215 South Monroe Street, Suite 701, Tallahassee, Florida
14 32302-1876, appearing on behalf of Florida Public Utilities and
15 Sebring Gas Company.

16 KATHERINE FLEMING, ESQUIRE, FPSC General Counsel's
17 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida
18 32399-0850, appearing on behalf of Commission Staff.

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P R O C E E D I N G S

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2 COMMISSIONER BAEZ: All right. We'll call the
3 hearing to order. Counsel, can you read the notice.

4 MS. FLEMING: Pursuant to notice issued by the clerk
5 of the Commission on September 24th, 2003, this time and place
6 has been set for a prehearing in Docket Numbers 030001-EI,
7 030002-EG, 030003-GU, 030004-GU, 030007-EI.

8 COMMISSIONER BAEZ: All right. And we're going to
9 take appearances. And, as you can see, we've got, by my count,
10 five dockets. So if you would kindly enter your appearance and
11 declare the dockets that you're entering an appearance for.

12 Mr. Beasley, we can start with you.

13 MR. BEASLEY: Yes, sir, Commissioner. I'm James D.
14 Beasley appearing with Lee L. Willis and Kenneth R. Hart from
15 the law firm of Ausley & McMullen in Tallahassee, and we're
16 representing Tampa Electric Company in Docket Numbers 030001,
17 2 and 7.

18 MR. BADDERS: Good morning. I'm Russell Badders.
19 I'm appearing on behalf of Gulf Power Company in the 01, 02 and
20 07 dockets.

21 MR. PERKO: Good morning. I'm Gary Perko of the
22 Hopping, Green & Sams Law Firm. I'm appearing on behalf of
23 City Gas Company of Florida in the 03 and 04 dockets, and
24 Progress Energy Florida in the 07 docket.

25 MR. MCGEE: I'm James McGee, Post Office Box 14042,

1 St. Petersburg, 33733, appearing on behalf of Progress Energy
2 in the 01 and 02 dockets.

3 MR. HORTON: I'm Norman H. Horton, Jr., of Messer,
4 Caparello & Self. I'm appearing on behalf of Florida Public
5 Utilities Companies in the 01, 02, 03 and 04 docket, and
6 Sebring Gas System in the 03 docket.

7 MR. VANDIVER: Robert Vandiver appearing on behalf of
8 the citizens of the State of Florida in the 01, 02, 03 and 07
9 dockets.

10 MS. KAUFMAN: Good morning, Commissioner. Vicki
11 Gordon Kaufman with John McWhirter, Jr., of the McWhirter,
12 Reeves Law Firm. We're appearing on behalf of the Florida
13 Industrial Power Users Group in the 01, 02 and 07 dockets.

14 MR. WRIGHT: Thank you, Commissioner. Robert
15 Scheffel Wright and John T. LaVia, III, Landers & Parsons,
16 310 West College Avenue, Tallahassee, appearing on behalf of
17 CSX Transportation in the fuel and purchased power cost
18 recovery docket. We filed our petition to intervene in that
19 docket this morning.

20 MR. COSTA: Matt Costa, TECO Energy, here on behalf
21 of Peoples Gas in the 03 and 04 dockets.

22 COMMISSIONER BAEZ: I'm sorry. Mr.?

23 MR. COSTA: Costa.

24 COMMISSIONER BAEZ: Costa, C-O-S-T-A?

25 MR. COSTA: Yes, sir.

1 COMMISSIONER BAEZ: Thank you.

2 MR. SCHIEFELBEIN: Good morning. Wayne Schiefelbein,
3 Rose, Sundstrom & Bentley, appearing on behalf of the Florida
4 Division of Chesapeake Utilities Corporation in the 04 docket.

5 COMMISSIONER BAEZ: Is there anyone else that needs
6 to enter an appearance?

7 MR. TWOMEY: Ron, you need to use a mike so the court
8 reporter can hear you.

9 COMMISSIONER BAEZ: Can you step up -- I'm sorry, Mr.
10 Twomey. Can you step up to a microphone, Mr. Rogers.

11 MR. LAFACE: I'm sorry. Ron LaFace and John Rogers
12 appearing for the Florida Retail Federation in the 01, 02 and
13 07 (sic.) docket.

14 MR. GUYTON: Charles Guyton and John Butler with the
15 law firm of Steel, Hector & Davis, appearing on behalf of
16 Florida Power & Light Company. I'm appearing in the 02 docket.
17 Mr. Butler is appearing in the 01 and the 07 dockets.

18 MR. TWOMEY: Good morning, Commissioner. Mike
19 Twomey, Post Office Box 5256, Tallahassee 32314-5256, appearing
20 in the 01 docket on behalf of Katherine Claypool and
21 eight other residential ratepayers of TECO Electric.

22 COMMISSIONER BAEZ: Is that everybody? Mike, we
23 don't have anyone participating on the phone that you know of?
24 Okay. Great. All right.

25 MR. KEATING: We do need to enter appearances for the

1 staff counsel.

2 COMMISSIONER BAEZ: I'm sorry. After so many of them
3 today.

4 MR. KEATING: Cochran Keating on behalf of the
5 Commission in Docket 01.

6 MS. FLEMING: Katherine Echternacht-Fleming on behalf
7 of the Commission in Docket 03.

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

10 MS. STERN: Marlene Stern and Adrienne Vining on
11 behalf of the Commission in Docket 07.

12 COMMISSIONER BAEZ: All right. Just a quick, a quick
13 note here for all the parties. We're going to try and follow
14 some order and get certain dockets out of the way first.

15 We're going to be following the following order:
16 It's 03, 04, 02, 07 and 01. We'll see if we can get some of
17 you all out on time.

18 Counsel, we need to address some excusals, I believe.

19 MS. FLEMING: Yes. That is correct. St. Joe Natural
20 Gas Company has requested to be excused from the prehearing and
21 hearing in the 03 and 04 dockets.

22 COMMISSIONER BAEZ: All right. Let the record
23 reflect that St. Joe Natural Gas has been excused from the
24 prehearing conference and the hearing in the 03 and 04 dockets.

25 Now we'll -- moving on, we're on the 03 docket

1 everybody. Do we have any preliminary matters?

2 MS. FLEMING: No, Commissioner, there aren't any.

3 COMMISSIONER BAEZ: All right. Do we have to -- do
4 we have witnesses that need excusal as we stand?

5 MS. FLEMING: As we've stated on Page 5 of the draft
6 prehearing order, witnesses will be notified by November 5th as
7 to whether they'll be excused or whether they'll be required at
8 the hearing.

9 COMMISSIONER BAEZ: Okay. So that's to be
10 determined.

11 MS. FLEMING: Yes.

12 COMMISSIONER BAEZ: All right. We can move on to the
13 order of witnesses. And I guess since, since there are so many
14 parties and we've got to try and keep things in order, if for
15 no one else but my benefit, we'll go section by section until
16 we get to the, to the positions, and then we'll go party by
17 party and make sure that through the entirety of the positions
18 that there aren't any changes. I think we might be able to
19 streamline it that way.

20 So, first, if you all follow with me on the draft
21 order. First, everybody has got a draft order, right, that
22 needs one? Great.

23 Section VI, the order of witnesses. Now are there
24 any changes to the order of witnesses? Seeing none.

25 Moving on to Section VII. And I guess I'm going to

1 take them as I find them in the basic positions.

2 So, City Gas, are there any changes to any of your
3 positions on the issues that you need to make at this point?

4 MR. PERKO: None, Commissioner.

5 COMMISSIONER BAEZ: Thank you, Mr. Perko. Peoples --
6 I'm sorry. Public Utilities, Mr. Horton.

7 MR. HORTON: None, sir.

8 COMMISSIONER BAEZ: None. Peoples.

9 MR. COSTA: None, sir.

10 COMMISSIONER BAEZ: Thank you. Sebring.

11 MR. HORTON: There are none, sir.

12 COMMISSIONER BAEZ: Okay. And St. Joe we've already
13 excused.

14 Public Counsel.

15 MR. VANDIVER: We have no position throughout the
16 order, sir.

17 COMMISSIONER BAEZ: Thank you. And, staff, you don't
18 have any changes?

19 MS. FLEMING: No, we don't.

20 COMMISSIONER BAEZ: Great. Thank you.

21 Section -- let's see. The exhibits list. Do we need
22 to make any changes, counsel, that you know of?

23 MS. FLEMING: No.

24 COMMISSIONER BAEZ: None? Okay. Anyone -- someone
25 was up. All right. Great.

1 Are there any corrections to the proposed
2 stipulations?

3 Take a minute. All right. Seeing none.
4 Ms. Echternacht, I'm not showing any pending motions.

5 MS. FLEMING: No. That's correct.

6 COMMISSIONER BAEZ: Okay. And also no pending
7 confidentiality matters in this docket.

8 MS. FLEMING: That's correct.

9 COMMISSIONER BAEZ: Great. We have a proposed ruling
10 setting the time limit for opening statements to ten minutes.
11 Are there any objections?

12 Great. All right. I think that takes care of 03.

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1 STATE OF FLORIDA)
 :
2 COUNTY OF LEON)
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CERTIFICATE OF REPORTER

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

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

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

12 DATED THIS 28TH DAY OF OCTOBER, 2003.

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