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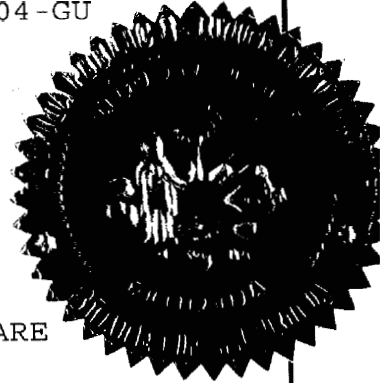
BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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DOCKET NO. 040004-GU

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In the Matter of
NATURAL GAS CONSERVATION
COST RECOVERY.



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PROCEEDINGS: PREHEARING

BEFORE: RUDOLPH "RUDY" BRADLEY
 Prehearing Officer

DATE: Monday, October.25, 2004

TIME: Commenced at 9:40 a.m.
 Concluded at 11:40 a.m.

PLACE: **Betty Easley Conference Center**
 Room 148
 4075 Esplanade Way
 Tallahassee, Florida

REPORTED BY: LINDA BOLES, RPR
 Official FPSC **Reporter**
 (850) 413-6734

1 **APPEARANCES :**

2 GARY V. PERKO, ESQUIRE, **Hopping**, Green & Sams, Post
3 Office Box 6526, Tallahassee, Florida 32314, appearing on
4 behalf **of** City Gas **Company** of Florida.

5 NORMAN H. HORTON, JR., ESQUIRE, Messer, Caparello &
6 Self, Post Office Box **1876**, Tallahassee, Florida 32302-1876,
7 appearing on behalf of Florida Public Utilities Company.

8 WAYNE L. SCHIEFELBEIN, ESQUIRE, Rose, Sundstrom &
9 Bentley, LLP, 2548 Blairstone Pines Drive, Tallahassee, Florida
10 32301, **appearing** on behalf of the Florida Division of
11 Chesapeake **Utilities Corporation**.

12 MARTHA BROWN, ESQUIRE, FPSC **General Counsel's Office**,
13 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
14 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 BRADLEY: Let's proceed to the
3 04 docket. We're now in the 04 docket, natural gas
4 conservation. Are there any preliminary matters by any of the
5 parties?

6 MS. BROWN: Commissioner, **there are** none that I am
7 aware of. I would like **to** point out that the staff and the
8 parties have reached agreement on **all** the issues, and staff
9 **will** reflect that agreement in the prehearing order **at** the
10 conclusion of the prehearing conference. With, **with** that,
11 there is nothing **really** else of a preliminary nature.

12 COMMISSIONER BRADLEY: Thank you. **Let's** proceed
13 through the draft prehearing order. **If** there **are** any
14 questions, clarifications **or** changes, **please** let me know at the
15 appropriate time.

16 Section I, **conduct of** proceedings.

17 MS. BROWN: There are **no changes**.

18 COMMISSIONER BRADLEY: Section 11, **case** background.

19 MS. BROWN: **No** changes.

20 COMMISSIONER BRADLEY: Section III, jurisdiction.

21 MS. BROWN: **No** changes.

22 COMMISSIONER BRADLEY: Section IV, procedure for
23 handling confidential information.

24 MS. BROWN: **No** changes.

25 COMMISSIONER BRADLEY: Section V, posthearing

1 procedures.

2 MS. BROWN: No changes.

3 COMMISSIONER BRADLEY: Section VI, prefiled testimony
4 and exhibits; witnesses.

5 MS. BROWN: No changes.

6 COMMISSIONER BRADLEY: Section VII, order *of*
7 witnesses.

8 MS. BROWN: With respect to Section VII,
9 Commissioner, the witnesses can be **excused if** no Commissioner
10 **on** the panel seeks cross-examination. At this time it appears
11 that the witnesses will be excused with the possibility -- but
12 **staff** will confirm this with each Commissioner and contact the
13 parties by November 3rd.

14 COMMISSIONER BRADLEY: Thank **you**, Section VIII,
15 **basic positions**.

16 MS. BROWN: No **changes**.

17 COMMISSIONER BRADLEY: Section IX, issues and
18 positions.

19 MS. BROWN: Commissioner, the parties have reached
20 stipulations on all issues, but they've done so within the last
21 day, and the draft prehearing order **at** this time has not been
22 **corrected** to reflect all of the **stipulations**. A corrected
23 prehearing order will **be** presented for your signature.

24 COMMISSIONER BRADLEY: Okay. **Section X**, exhibit
25 list.

1 MS. BROWN: No changes.

2 COMMISSIONER BRADLEY: Section XI, proposed
3 stipulations.

4 MS. BROWN: Commissioner, as I just mentioned, it
5 appears that all issues are stipulated and the prehearing order
6 will reflect that.

7 COMMISSIONER BRADLEY: And also it is my
8 understanding that OPC has taken no position **on**, on these
9 **issues**.

10 MS. BROWN: Yes. **That's correct**, Commissioner.

11 COMMISSIONER BRADLEY: Thank you. Section XII,
12 pending **motions**.

13 MS. BROWN: No changes.

14 COMMISSIONER BRADLEY: Section -- beg your pardon?
15 I'm **sorry**.

16 MS. BROWN: No changes.

17 COMMISSIONER BRADLEY: Thank you. Section XIII,
18 **pending** confidentiality matters.

19 MS. BROWN: No pending confidentiality matters at
20 **this time**.

21 COMMISSIONER BRADLEY: **Section** XIV, rulings.

22 MS. BROWN: Commissioner, although I don't think
23 we're going to have a hearing on this docket, we would suggest
24 that the prehearing order reflect that opening statements, if
25 any, should not exceed ten minutes per party.

1 Also, St. Joe and Peoples Gas have been excused from
2 the prehearing and hearing -- have been excused from the
3 prehearing conference, and St. Joe has been excused from the
4 hearing.

5 COMMISSIONER BRADLEY: Thank you. Let the record
6 reflect that the prehearing officer accepts staff's
7 recommendations.

8 MR. PERKO: Commissioner.

9 COMMISSIONER BRADLEY: Yes.

10 MR. PERKO: This is Mr. Perko on behalf of City Gas.
11 I just noticed that there was one omission from the exhibit
12 list. I believe under Gloria Lopez there should be an Exhibit
13 GL-2.

14 COMMISSIONER BRADLEY: Which section is that?

15 MR. PERKO: That would be Section X.

16 MS. BROWN: Commissioner, we'll reflect that change
17 in the prehearing order, and we'll get with City Gas to make
18 sure we have it right.

19 MR. PERKO: Thank you.

20 COMMISSIONER BRADLEY: Thank you.

21 Is there anything else to come before the prehearing
22 officer at this time?

23 MS. BROWN: Not to my knowledge, Commissioner.

24 COMMISSIONER BRADLEY: Thank you for your
25 participation. This prehearing conference is adjourned.

(Prehearing conference adjourned.)

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1 STATE OF FLORIDA)
2 COUNTY OF LEON)

CERTIFICATE OF REPORTER

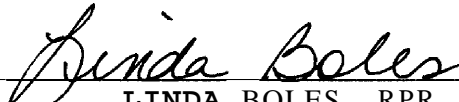
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I, LINDA BOLES, RPR, Official Commission Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

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 28th DAY OF OCTOBER, 2004.


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